1948

Voter Information Guide for 1948, General Election

Proposed

AMENDMENTS TO CONSTITUTION

PROPOSITIONS AND PROPOSED LAWS

Together With Arguments

To Be Submitted to the Electors
of the State of California at the

GENERAL ELECTION
TUESDAY, NOV. 2, 1948

Compiled by FRED B. WOOD, Legislative Counsel
Distributed by FRANK M. JORDAN, Secretary of State

CERTIFICATE OF SECRETARY OF STATE

State of California, Department of State
Sacramento, California

I, Frank M. Jordan, Secretary of State of the State of California, do hereby certify that the following measures will be submitted to the electors of the State of California at the general election to be held throughout the State on the second day of November, 1948.

Witness my hand and the great seal of the State, at office in Sacramento, California, the first day of September, A.D. 1948.

Frank M. Jordan

Secretary of State

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Part I—Arguments

1	**VETERANS' TAX EXEMPTION. Assembly Constitutional Amendment No. 37.** Amends Section 1¼ of Article XIII of the Constitution. Provides that veterans' $1,000 property tax exemption and $5,000 property ownership limitation shall be determined according to the "assessed" value of the property.	YES	
		NO	

(For full text of measure, see page 1, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 37

This proposal adds the word "assessed" ahead of the word "value" wherever same appears in that section of the Constitution which deals with tax exemptions on property owned by veterans of either World War I or World War II. There is no other change and thus the proposal is actually a clarification of wording and not a new departure.

It came to the attention of the legislature that a few remote assessors had been denying the usual exemption to veterans who purchased dwellings for sale prices in excess of the $5,000 "value" stated in the Constitution. This created an injustice since by far the wide majority of assessors through the many years since the original enactment of this Section have been interpreting the language respecting "value" to mean the "assessed value", as same appeared on their official records.

By the adoption of this proposed Amendment, all conditions will be made uniform; and as thus presented in both Houses of the Legislature, the measure was adopted without opposition.

RICHARD H. McCOLLISTER,
Assemblyman for Marin and Sonoma Counties
Chairman Committee on Military Affairs

Argument Against Assembly Constitutional Amendment No. 37

The proposed amendment to Section 1¼ of the State Constitution adds just one word to the present language of that section—but that word is of the utmost importance.

The present law provides that property to the amount of $1,000 owned by a veteran of the armed services shall be exempt from taxation, provided he does not own property of the value of $5,000 or more. In practice, this means that if a veteran owns any property with an assessed value up to and including $4,999, and owns no other property, he may claim a $1,000 exemption. In applying for the exemption, veterans are required to state that they do not own any other property than is listed on the claim.

This amendment would change the wording of the law to state that any resident veteran shall be entitled to the $1,000 exemption, provided, "this exemption shall not apply to any person named herein owning property of the *assessed* value of five thousand dollars ($5,000) or more, or where the wife of such soldier or sailor owns property of the *assessed* value of five thousand dollars ($5,000) or more". It is the word "assessed" which has been added.

If this amendment is adopted, it would mean that any veteran could own thousands of dollars of stocks and bonds, first mortgages, or lands and property in other states which are not "assessed", and still be eligible for the $1,000 exemption so long as his property here was not "assessed" more than $5,000.

From an examination of the records, it is estimated that there are from 10,000 to 12,000 applications for exemptions which are rejected each year on the basis that the veterans failed to qualify by reason of the $5,000 property value limitation. These 10,000 to 12,000 veterans would be eligible under this new amendment. Actually, these comprise less than 2½% of the total number of veterans claiming the exemption, and are well able to pay the small amount of tax involved.

The intent of the original constitutional amendment granting a $1,000 exemption was to help the veteran in establishing himself. With thousands of new residents, many of whom are veterans, pouring into California each year, this problem of veterans' exemptions is assuming serious financial proportions. Every $1,000 exemption that is granted means simply that the remaining taxpayers must assume that much additional burden to pay the share of the cost of government that that owner is excused from paying.

We urge a NO vote on this proposed amendment.

PROPERTY OWNERS ASSOCIATION OF CALIFORNIA, INC.
MONROE MARLOWE, Secretary-Treasurer

2	**LOCAL CONTROL AND ENFORCEMENT OF INTOXICATING LIQUORS. Initiative Constitutional Amendment.** Adds Section 22¾ to Article XX of Constitution; local governing bodies of County and City to regulate presence of minors in on-sale licensed premises and to regulate lighting and sanitation in such premises; permits unescorted women to be served liquor in such premises only when seated at table; requires apportionment of State liquor license fees to local governments; provides for speedy determination of complaints by local authorities against licensees; restricts issuance of distilled spirits licenses on population basis; continues in effect Section 22, same article; repeals conflicting provisions.	YES	
		NO	

(For full text of measure, see page 1, Part II)

Argument in Favor of Initiative Proposition No. 2

The following synopsis of the proposed constitutional amendment is submitted to the voter for his information as to its provisions.

(a) The purposes of the amendment, as therein stated, are to promote social and moral welfare and temperance in the sale and use of intoxicating liquors and provide for strict enforcement.

(b) It makes it the duty of governing boards of cities and counties to adopt and enforce ordinances:—

(1) For the regulation of the presence of minors in on-sale premises;

(2) For adequate illumination and ventilation of on-sale premises and for adequate sanitary facilities for the protection of public morals, welfare and health.

(c) The amendment prohibits serving intoxicating liquors to unescorted women at bars.

(d) The amendment directs that all license fees collected by the State Board shall be returned to cities and counties to provide adequate funds for policing and enforcement purposes.

(e) It authorizes governing boards and law enforcement officers of cities and counties to object to the continuation or renewal of any general on-sale license which would be contrary to public welfare or morals.

(f) The amendment limits the number of distilled spirits licenses, for on-sale and off-sale

premises, to one such license for each 2,500 population of the county.

(g) The provisions of the present Constitution against public saloons are continued in force.

RALPH E. SWING,
Senator, 36th Dist.

Argument Against Initiative Proposition No. 2

This is clearly a "Confusion Measure", to confuse the voters and take votes from No. 12. Practically this same measure was soundly defeated by the last Legislature.

It would allow an ordinance to regulate the "Presence of minors" in bars, but it carefully avoids any reference to food. In actual practice, minors cannot be excluded unless food is also excluded. If a group, including children, came in and sat down, would they be ordered out? Not likely. If they were, it would make a most unpleasant and ridiculous scene. Such an ordinance would soon become just another unenforceable "Silly Law." Its only effect would be to inspire contempt for all law. It would soon be repealed.

It would allow an ordinance to require unescorted women customers to be segregated, Jim Crow style, and made to sit at tables, on the assumption, apparently, that they are immoral, and a menace to the men. Not very flattering to our California women!! Many immoral women do ply their trade in bars, but certainly not all unescorted women customers are immoral. What if the tables were full? Would they be ordered out? Not likely. Couldn't they ply their trade, if that was their aim, at a table as well as at a bar? They would have to be served "only when seated at a table", but they could then pick up their drink and go where they pleased. This too, would soon become another unenforceable "Silly Law", to inspire contempt for all law, and would soon be repealed.

It claims to turn all liquor license fees over to the cities and counties!! That is already the law. (Chap. 712, Stat. 1947.) It is merely inserted here to further confuse the voters with a pretense of giving them something. It should be left in the statutes, and not frozen into the Constitution. It might be necessary to amend it sometime.

Again, to still further confuse the voters, it provides that a complaint, or petition may be filed with the State Board of Equalization!! The right to petition is guaranteed to us by the Federal Constitution. The State Board, however, is required only to listen politely to such petition, nothing more.

It changes the ratio of licenses from 1 per 1,000 to 1 per 2500. This only gives a still tighter monoply to those already in business. If a million dollar hotel were built in a community and desired a liquor license, it would have to buy out an existing licensee, paying him whatever he could exact.

If you want to keep the children (and food) out of the bars and improve conditions, Vote NO on 2!!

H. E. DILLINGER, Senator, 9th Dist.

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3 **RAILROAD BRAKEMEN. Initiative.** Adds Section 6902.5, amends Section 6902, Labor Code. Empowers Public Utilities Commission to prescribe number of brakemen to be used on railroad trains. Prohibits feather-bed practices in employment of railroad brakemen on trains.

YES	
NO	

(For full text of measure, see page 1, Part II)

Argument in Favor of Initiative Proposition No. 3

With the crushing cost of living bearing down like a juggernaut on every family, California householders, caught in the price squeeze, must soon demand a change or face real disaster.

The biggest single factor in kiting the cost of living, according to impartial analysis, is "featherbedding"—the unhealthy make-work practices which require the employment of men in numbers beyond the actual necessity, encourage unnecessary obstructions to efficiency, and pad out payrolls by fake-work tactics that pyramid the price of everything they touch.

"Featherbedding" today accounts for 20 per cent of the cost of building a house or furnishing it, of bread and clothing, of newspapers and movie tickets, of transporting cattle to market and food stuffs from factory to consumer. Conservative estimates show that one-fifth of every dollar spent in even the most careful household is pure waste—tribute paid to "featherbedding".

California now has an opportunity to end that tribute—to strike the first blow for sane and reasonable living costs.

Proposition 3 will remove from the statute books the "grandfather of all featherbedding practices"—the make-work provisions of the Excess Crew Law.

Written into the statutes 37 years ago, it was a "safety measure" of the times. Nobody guessed then it would become the nucleus for a pox of "featherbedding"—would place the very term in the dictionary. This law required railroads to employ from 1 to 5 extra freight train brakemen, whose chief job was to clamber over the cars and turn the heavy gear of the early-day hand brakes. In 1911 it took manpower to stop a freight train! Today it's different.

Since that time, the modern air brake, the automatic switch, double tracking and the block signal system have been perfected. The job the extra men were hired for is as outmoded as muleskinning. But the "extras" remain. They call themselves "law brakemen"—and the statute that keeps them riding, the "full caboose law"!

Union men generally are disgusted with "featherbedding". Many progressive unions have made an honest effort to uproot it. Their reasoning is sound: "Featherbedding" undermines the dignity of honest labor and discredits its just demands. It not only unfairly increases consumer costs, but in the long haul reduces jobs by stifling production and consumption!

From a "safety" standpoint, the public record shows that during the war, when this obsolete law was suspended, railroad safety improved remarkably—even under the strain of unprecedented loads of men and materials!

Under Proposition 3, the State Public Utilities Commission would determine the number of brakemen needed both for public and personal safety, as it did in wartime.

Congress has refused repeatedly to enact national "excess crew" legislation.

Proposition 3 is not a partisan issue. It is endorsed by leaders of both major parties.

"Featherbedding" is costing every family in California hundreds upon hundreds of lost and wasted dollars every year!

On election day, strike a blow for decent living standards and reasonable prices. To stop "featherbedding" vote "Yes" on Proposition 3!

ALFRED W. ROBERTSON, Former chairman, Democratic State Central Committee, Santa Barbara

ED TICKLE, Former chairman, Republican State Central Committee, Carmel

MRS. LEILAND ATHERTON IRISH, Los Angeles clubwoman

THOMAS J. RIORDAN, Past State Commander, American Legion, San Francisco

WILLIAM M. JEFFERS, Former president, Union Pacific Railroad, Los Angeles

R. V. GARROD, President, California Farmers, Inc., Saratoga

JOSEPH J. DEUEL, Director, California Farm Bureau Federation, Berkeley

Argument Against Initiative Proposition No. 3

All of the engineers and train crewmen to a man are opposed to the adoption of ballot Proposition No. 3, so are a large majority of the members of our State Legislature, and all for very good reasons:

1. Proposition No. 3 contains the same provisions as bills the Railroads had introduced at the 1943 and 1947 sessions of the Legislature. At both sessions the bills received all due consideration in lengthy and exhaustive hearings. On both occasions by an overwhelming vote our Legislators rejected repealing the Full Crew Law because the Railroads could not prove their case on the basis of truths and facts.

2. The principles of operating trains over difficult terrain, in inclement weather, have changed very little but engines and cars are much larger now. Both are still subject to many mechanical failures, so the same potential dangers still exist.

3. The Railroads for the third time are now appealing to the voters with the same misleading propaganda that they used with the State Legislators in efforts to prejudice their votes.

After War No. 2 got underway, thousands of railroad employees and their sons and daughters joined the armed forces and this caused a manpower shortage. At personal risk of their welfare, the remaining employees prevailed upon the Legislature to adopt the employees' amendment to the Railroads' repeal bill, which gave the Railroad Commission authority to permit railroads to deviate from the law so that troops and munitions would flow without interruption to war fronts.

On June 30, 1943, such orders of deviation were made and below is the official record taken from the Commission's Annual Reports showing the enormous accident rate increase during the period of No Full Crew Law, and how it immediately plummeted downward when the orders were revoked and the law fully reinstated March 1, 1946.

(PERIOD TRAINS WERE OPERATED WITH LESS THAN FULL CREWS)

Last 6 months of 1943—accident increase over 1942 ..... 35.02%
12 months of 1944—accident increase over 1943 ..... 3.02%
12 months of 1945—accident increase over 1944 ..... 22.20%

(OPERATING UNDER FULL CREW LAW TEN MONTHS OF 1946)

Accident *decrease under* 1945 ..... *13.48%*

These unbiased official records present a truthful picture of the power of the Full Crew Law to protect lives and limbs of the public and trainmen. *It is especially so when one considers that the 13.48% reduction of casualties occurred in ten months of time instead of a whole year.*

The opening statement of the Commission's 1946 first post-war report has this to say regarding studies of transportation hazards by its Safety Division:

"Governmental administrative authorities transportation personnel, and economic organizations have a common interest in public mass transportation accident prevention, and in any comparative data which might show year-by-year trends in the frequency of casualties.

"California, second in area and now second in population of all the states, with high traffic concentrations and mountainous terrain, presents an extensive sample of public transportation accident experience under increasingly difficult conditions."

VOTE *NO* ON No. 3.

WE NEED MORE SAFETY—NOT LESS

F. G. PELLETT,
State Representative,
Trainmen's Brotherhood

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4 AGED AND BLIND AID. Initiative Constitutional Amendment. Adds Article XXV to Constitution. Increases maximum aid from $60 to $75 monthly for aged persons, and from $75 to $85 monthly for blind persons. Makes continuing appropriations from State Treasury to finance same. Changes eligibility standards; lowers age and residence requirements for aged aid; increases income and property exemptions permitted to recipients of aged and blind aid. Makes Director, Department Social Welfare, elective office; names first director. Places aid program entirely under State administration, eliminating county functions. Prescribes administrative procedures. Creates lien against State Treasury for cost of aid and administration.

YES	
NO	

(For full text of measure, see page 2, Part II)

Argument in Favor of Initiative Proposition No. 4

Our Government is showering billions of dollars upon the needy throughout the world with no questions asked and few conditions required.

Meanwhile, our own needy blind and aged are struggling to exist on aid which was inadequate even before inflation. In California, we have 182,925 old age recipients subsisting on an average of only $57 a month; and the 6,988 needy blind on an average of $72 a month, doled out to them. The misery and suffering of these poor unfortunate fellow citizens is deplorable.

The Aged and Blind Aid amendment will raise the aged to $75 a month and the blind to $85. Because of the recent increase voted by Congress for old age and blind assistance to this state, amounting to $11,000,000 a year, the total annual increase under our measure in old age payments would be only $21,951,000; the increase in blind aid would amount to $419,280. Add to these figures $9,000,000 to cover payments to 10,000 new cases who might qualify, and the total increase to the state is only $31,370,280 a year. The high death rate among the aged, keeps the cost of the program at a constant level despite new applicants. There will be approximately a $15,000,000 annual saving to home and property owners which will result from state administration of the program. These actual cost figures are far different from the fantastic estimates of opponents.

An effort has been made to mislead people into believing that oldsters will migrate to California, should aid be increased. The Federal Social Security Administration gives the lie to this propaganda through a survey which proves that oldsters do not move to secure higher pensions.

A humane provision of the Aged and Blind Aid amendment, recommended by the Federal Social Security Agency, is the repeal of the mis-named "Responsible Relatives" clause. The amendment does not prohibit relatives from supporting aged and blind members of their families; it encourages such support. It will eliminate the harassing of recipients whose children cannot or will not contribute to their support.

Making the office of State Welfare Director elective will insure welfare laws being administered justly. This post is now a political appointment, but we believe this office should be responsible to the people.

By voting the Aged and Blind Aid amendment into the State Constitution, California will achieve a permanent solution to its needy aged and blind problem.

In the midst of ministering to the needs of the rest of the world, it is unthinkable that we continue to forget our own poor and under-privileged. Federal statistics prove that 75 out of every 100 persons in the United States are dependent upon some form of public monies when they reach the age of 65. Therefore, few today—can have any assurance that they will not be in need in case of blindness or old age. Why not help needy Americans for a change?

Vote YES on Proposition Number 4!

GEORGE H. McLAIN, Chairman
Citizens' Committee for Old Age Pensions
FRANK E. GARDNER, Chairman
Legislative Committee of California Blind
MYRTLE WILLIAMS, Secty.-Treas.
California Institute of Social Welfare
JOHN W. EVANS,
Assemblyman, 65th Dist.
GORDON R. HAHN,
Assemblyman, 66th Dist.

Argument Against Initiative Proposition No. 4

Proposition No. 4 should be defeated for the following main reasons:

1. It freezes into the Constitution, at present inflated levels, the specific amount of aged and blind aid, thus making it impossible to adjust the payments to the changing business cycle and to economic conditions. Proposed payments would be out of line with all other states, and could only be adjusted by direct vote of the people.

2. Old age and blind aid, together with the costs of administration, are made a first lien against all monies in the State Treasury. This means that proposed pension payments and administration costs would have a prior claim on all State monies, including the gas tax and other special funds, ahead of school costs, teachers' salaries, State employees' salaries, State bond retirement, etc.

3. It increases taxes $125,000,000 next year in California—an average tax increase of $42.00 for every family. Within twelve years, taxes will be increased by $235,000,000 a year.

4. It threatens to destroy the present system of aid to needy aged and blind in California. Its wide-open provisions will attract to California the aged and blind by the thousands from all over the United States, which would build up such a tremendous pension load in California that the entire system in this State will break down. Out-of-State migrants would thus lead to destruction and loss of present aid now enjoyed by our deserving needy aged and blind.

5. It violates all principles of states' rights by giving authority to Congress or Federal Security Administration in Washington to amend our State Constitution without a vote of our own people.

6. It sets up a large, new State department to administer the act, but at the same time, it does not repeal or do away with any of the present administrative agencies. This results in duplicating costs and increased taxes.

7. It delegates all policy making and operation of aged and blind aid for the next two years to one of three people actually to be named and written into the Constitution and does not provide for the election of a director until 1950. By providing for an *elected* director after 1950, it would expose the rights and benefits of the aged and blind to political maneuvering every four years and make pensions a continuous political football.

8. It exposes the aged and blind to having unlimited fees charged against them by those helping to secure their pensions. Present law prohibits accepting remuneration for helping qualified pensioners secure their benefit payments.

9. It removes several important safeguards the people of California now have against unwarranted increases in the number of people claiming old age assistance.

10. Present California pension laws are known to be in conformity with requirements of the Federal Social Security Law; but if this amendment is found to be out of conformity, California will lose millions of dollars in Federal funds which we must have to finance aged and blind aid.

VOTE *NO* ON PROPOSITION NO. 4

RAY B. WISER, President, California Farm Bureau Federation
ARTHUR J. WILL, Superintendent of Charities, County of Los Angeles
WILLIAM A. PIXLEY, Chairman of the Board, Property Owners Association of California, Inc.
JAMES L. BEEBE, Attorney at Law, Los Angeles, California

5 **COMPENSATION OF LEGISLATORS. Assembly Constitutional Amendment No. 7.** Amends Section 23 of Article IV of the Constitution. Eliminates present provision that members of the Legislature shall receive salaries of $100 per month. Provides that members of the Legislature shall receive such compensation as may be fixed by law, plus mileage fixed by law but not to exceed five cents per mile.

YES	
NO	

(For full text of measure, see page 4, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 7

The salaries of State Senators and Assemblymen were fixed at $100 a month by a vote of the people more than twenty years ago and have remained at that figure ever since!

The above statement is itself sufficient to bring support for this proposed constitutional amendment from all voters who want their State run efficiently by able men.

Recently (1946) the voters demonstrated awareness that California cannot be run on antiquated principles, by approving a constitutional amendment to make sessions of the Legislature obligatory annually instead of every two years.

Twenty years ago, annual legislative sessions perhaps weren't necessary to take care of the State's business. And twenty years ago, a salary of $100 a month may have been enough for the men charged with running what has since become the third largest State in the Union.

This constitutional amendment proposes that the outdated provision freezing legislators' salaries at $100 shall be reworded to give the Legislature power to set by law the compensation of Assemblymen and Senators, just as it now sets the salaries of the Governor, Secretary of State, members of the State Supreme Court and all other elective State officials.

Foreseeing that this fixed, rigid, $100 salary provision in the constitution might be changed by the voters, the State Senate in the last session passed a bill (S. B. 1564) setting Legislators' salaries at $3000 per year, to take effect with passage of this Constitutional amendment.

SB 1564 was approved by Governor Earl Warren, is now on the statute books, and will give both Senators and Assemblymen $250 monthly with approval of this Constitutional amendment.

With the phenomenal growth of California, its public problems have broadened and intensified, requiring more able men to handle the tremendous legislative problems, and more of the time of each man elected.

From 1920 to 1930 only three days were required for special sessions of the Legislature. The 1947 special session consumed 163 calendar days.

The regular sessions have gradually increased in length, those since 1933 being by far the longest in the history of the State. During 1947 our Legislators were required to spend approximately the first six months of the year in Sacramento, a good share of the rest of the year with committee affairs and problems of their districts.

The management of this State has simply passed beyond the stage where it can be directed by inexperienced persons on a part time basis. The Legislature is, in effect, the board of directors of one of the world's greatest corporations. At the last Legislative session it allocated expenditures of more than a billion dollars.

To expect the directors of such a vast corporation to serve for $100 a month is obviously unreasonable and unsound public policy.

For these reasons the people of California should overwhelmingly approve this proposition.

LESTER A. McMILLAN,
Assemblyman, 61st Dist.
ERNEST E. DEBS,
Councilman, 13th Dist., Los Angeles

Argument Against Assembly Constitutional Amendment No. 7

Stripped of its legal language, proposed Constitutional Amendment No. 7 means this: *Its adoption would give to legislators the sole right to fix their own salaries and WITHOUT restraint or limitation.* This power of fixing legislative compensation is now held by the people through the State Constitution. The amendment, if adopted, will take this right away from the people! In 1941 a less drastic but similar proposal for increasing the salaries paid to our legislators was defeated by a vote of almost two to one (531,931 for to 961,023 against). This latest proposal should also be defeated for the following reasons:

1. Legislators are ONLY part-time employees and are now paid generously for services rendered. They actually work only one sixth of the time as legislators and their present compensation is based upon that fact. To illustrate: By constitutional provision a legislator is paid $100.00 per month and *in addition he is allowed $10.00 per day for living expenses during the entire time the legislature is in session.* In an ordinary two year term the legislature meets for an aggregate of 120 days and this means that each member is paid $1200.00 for living expenses. In addition he receives payment for travelling on a mileage basis. It has been estimated that the average amount of total compensation paid to a legislator for a term (two years) is $5000.00. This, remember, is for 120 days of work in legislative sessions. This is payment at the rate of $41.66 per day!

2. Legislators have anticipated the enactment of this amendment and have ALREADY fixed their salaries at $3000.00 per year in the event No. 7 is approved. (Senator Breed's Senate Bill 1564). This is an immediate increase of $1800.00 per year. If No. 7 were put into effect this amount could be increased whenever legislators desired to pass such law. Before the present Breed figure of $3000.00 per year was acted upon it was proposed to make it $5,000.00 per year! That may suggest the trend that should be expected!

3. If No. 7 carries the legislature would undoubtedly re-enact their Old-Age-Pension and Retirement Bill which provides retirement at the age of 63 upon a basis of the number of years served, not to exceed 75% of the salary received at the retirement period. Such procedure would mean additional salary by indirection according to an Attorney General's Opinion.

4. The tendency of progressive states is to fix legislative salaries in their constitutions and since 1850 no "new state has failed to regulate the matter of legislative salaries in the constitution" (C. C. Young's book on legislative history).

Proposition No. 7 should be defeated because it will deprive the people of a protection now given them in the state constitution! Present compensation in California to the members of the legislature is among the seven highest in the nation! The present payment for part-time services is fair and just! Let's keep it that way! Vote NO on Proposition No. 7!

DAN W. GREEN,
Publisher, Independent Review,
Los Angeles, California

6 REGULATION OF COMMERCIAL FISHING. Initiative.

Amends Fish and Game Code. Prohibits use of nets, traps, set lines or other appliances in commercial fishing in fish and game districts in which San Francisco Bay and tributary and connecting bays and streams are situated, for purpose of establishing said waters as recreational fishing area. Excepts commercial fishing for crabs, clams and oysters, and certain other named varieties. Prohibits possession of nets, traps and set lines in said waters, with certain exceptions. Excepts Clear Lake and Lake Almanor. Repeals inconsistent provisions of Fish and Game Code.

YES	
NO	

(For full text of measure, see page 4, Part II)

Argument in Favor of Initiative Proposition No. 6

The purpose of this initiative is two-fold. It is for conservation and recreation.

It prohibits net fishing in San Francisco Bay and the Sacramento-San Joaquin Rivers in the interests of protecting salmon, shad, steelhead trout, striped bass and sturgeon on their migration from the sea to their freshwater spawning grounds. The steelhead trout, striped bass and sturgeon, which may not be sold lawfully, frequently are destroyed in commercial nets.

In order to perpetuate the supply of fish for hook and line fishermen and to maintain a supply of fish for the offshore commercial fishermen, we must permit these fish to reach their spawning grounds unobstructed, to reproduce themselves.

This measure will establish the aforementioned waters as a recreational fishing area for hook and line fishermen. California angling license sales for 1948 are estimated at one million, which is about one out of ten adults in this state. In the last ten years, the sale of angling licenses has almost tripled.

Since the fish in public waters belong to all of the people, the status of commercial fishing is rather obvious. The commercial fisherman is only one of thousands of owners of the fish. He must therefore only expect to utilize commercially those fish, which the angler does not want. The owners of the fish, that is the public, are willing to pay several times the market value of the crop in tackle, boats, bait and travel for the opportunity to harvest the fish. This represents a substantial increase to the economy of the state and nation over the market value of the present inland commercial fishery.

Expanding our recreational facilities will serve as a needed additional outlet for the recreational demands of our rapidly increasing population. It will make more clean, healthful recreation for the youth of today and safeguard this right for our youth of tomorrow.

Contrasted to these benefits, this measure will inconvenience a very small number of people. From 1941 to 1946 inclusive, according to Fish and Game records, an average of only 487 commercial fishermen netting in inland rivers sold their catch for an annual average of $587,000, or an average $1,200 each annually. Commercial fishing in the ocean is open to these 487 fishermen. In the past 33 years of complete records, the average annual inland commercial salmon catch in these waters has only amounted to 0.37 of one percent of the present total annual Pacific Coast salmon catch. These figures show that enactment of this measure will have relatively little effect on the price or availability of table fish for the consuming public. State law forbids the canning of river netted salmon, thus the canning industry is not affected.

All other California streams have been closed to commercial netting. These same conservation principles apply to the Sacramento-San Joaquin Rivers where more fish are involved.

We ask the voters of California to remember our youth, protect their heritage and their recreation by voting "YES" on this measure.

GEORGE D. DIFANI,
Northern California Delegate for the
Associated Sportsmen to the
Organized Sportsmen of California.

Argument Against Assembly Constitutional Amendment No. 37

The proposed initiative is dangerous to all voters for three reasons:

(1) It will seriously harm the conservation of game fish and commercial fish in the waters affected; (2) it will wipe out an industry of long standing in the state, will throw many hundreds of people out of work and will destroy an investment of several million dollars; (3) it will lower the supply of fish and raise the prices which consumers must pay.

The Pacific Marine Fisheries Commission consisting of the Fish and Game Commissions of the State of California, Oregon and Washington have gone on record as opposed to this initiative. Here is what they say:

"There is evidence that the Sacramento-San Joaquin salmon runs are under-utilized and can withstand a heavier fishery. The proposed initiative would needlessly destroy California gillnet fishery and would reduce the value of the salmon industry. The Sacramento-San Joaquin runs are not in need of such ill-advised restrictions.

"The commercial shad fishery of California will cease to exist if the initiative petition is approved by the voters in November."

The initiative will completely destroy the famous shrimp fishery of the San Francisco Bay Area.

Doctor Willis H. Rich, professor of fishery biology at Stanford University, and one of the nation's leading authorities says:

"The proposed initiative is not a needed conservation measure. It would merely exclude the use of the resource by commercial fishermen for the supposed advantage of the sportsmen. It is very doubtful that increased take by the sport fishermen would equal the commercial catch. To prohibit the commercial fishery would, therefore, reduce the total take when there is no need for such reduction. It would result in economic loss without compensation in the way of improved runs.

"The salmon runs that breed in the Sacramento and San Joaquin Rivers show no signs of overfishing or of depletion. On the contrary they have actually been increasing over a period of about fifteen years. Reliable statistics show that the commercial catch both in the ocean and in the bay and river areas and the number of breeding fish in the spawning streams have increased during this period. There is no apparent need for restricting any phase of the fishery in order to increase the number of spawning fish.

"The salmon runs of these areas are thriving and productive and it is sound conservation to maintain without change the conditions that have brought this about."

At least two thousand persons will be denied a livelihood if this initiative is adopted.

If the initiative is passed the supply of fresh fish to consumers will be drastically lowered. The resultant price increase will hit consumers hard. This initiative is *not* endorsed by the California State Fish and Game Commission. True conservation should not be endangered by the passage of this type of unthinking, confiscatory legislation. We urge you, in the interest of keeping fish plentiful for the consuming public to vote NO on Proposition No. 6

BRAYTON WILBUR, Former President of San Francisco Chamber of Commerce
BJORNE HALLING, Secretary-Treasurer, California C. I. O. Council
THEO WEISSICH, President, Eureka Chamber of Commerce
VINCENT A. DAVI, Mayor, City of Pittsburg

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7 RESIDENCE OF VOTERS. Assembly Constitutional Amendment No. 32. Amends Section 1 of Article II of the Constitution. Requires 54 (instead of 40) days of precinct residence as prerequisite for voting eligibility in that precinct. Preserves voting eligibility of registered electors who move from one precinct to another within 54 (instead of 40) days prior to an election.

YES ☐
NO ☐

(For full text of measure, see page 5, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 32

The present law provides that a voter who did not vote in his precinct in either the last direct primary or general election must register 40 days prior to election. It is further provided that if he moved within the county, after registration closed, he may vote in his former precinct. The effect of this amendment is to close registration 54 (instead of 40) days before election. It makes no other change in the present law.

The purpose of the amendment is to allow more time for preparation for the election. Since the present law was established in 1930, there has been an average of 100% increase in number of voters. County Clerks and the Registrar of Voters now have special employees preparing the necessary voting lists, mailing sample-ballots, notices of elections and arguments. They are forced to work around the clock to meet the deadline. Errors caused by such conditions may deprive a citizen of his right to vote. It is expected these conditions will be aggravated when housing conditions permit more changes of address.

The amendment will cause registration to close in the middle of the week. It will provide greater economy and efficiency in the machinery of elections. It will give the voter his sample ballot and pamphlet of arguments at an earlier date. He will have more opportunity to consider the candidates and issues presented to him.

This amendment was recommended by the county clerk's association and approved by the legislature.

ALFRED ROBERTSON, Assemblyman, 27th Dist.
MARVIN SHERWIN, Assemblyman, 16th Dist.

Argument Against Assembly Constitutional Amendment No. 32

Under the present law a voter may qualify by registering within forty days prior to an election.

This amendment, if adopted will take away fourteen days of the time for registration prior to an election.

JOHN B. COOKE, Assemblyman, 38th Dist.

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8 SUPERIOR JUDGES, VACANCIES. Assembly Constitutional Amendment No. 11. Amends Section 8 of Article VI of the Constitution. Provides that where Superior Court vacancy occurs at any time during a general election year (instead of after April 1st, as presently provided) election of successor for the full six-year term shall take place in the succeeding general election year.

YES ☐
NO ☐

(For full text of measure, see page 5, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 11

This amendment simply changes the provision for filling vacancies in the office of superior court judge to conform to the change in the date of the direct primary.

At the time the present section was last amended the direct primary was held on the last Tuesday in August. The amendment provided that when a vacancy occurred after April 1 of an election year the Governor would appoint a judge to fill the vacancy until the office was filled at the election in the next following election year.

The date of April 1 was selected because there

would be time to circulate election papers and prepare for the direct primary election on the last Tuesday of August when the vacancy occurred prior to April 1 of the election year.

The date of the direct primary has been moved back to the first Tuesday in June and April 1 is far too late to permit candidates to file for the primary.

The only change made by this amendment is to substitute January 1 for April 1. This will allow candidates time to file for the direct primary which is now held in June in the same way they formerly could when the primary was in August.

This amendment does not change the purpose or policy of the present provision. It simply makes it workable as it was originally intended in view of changed conditions.

Vote Yes on this amendment.

M. PHILIP DAVIS, Assemblyman, 16th Dist.

9 **SUCCESSION TO GOVERNORSHIP. Assembly Constitutional Amendment No. 14.** Amends Section 16 of Article V of the Constitution. Provides that successor to vacancy in Governor's office shall serve until completion of Governor's unexpired term. Adds provisions designating successors to fill Governor's office in case Governor-elect dies prior to commencement of his term or fails to take office. Requires Legislature to select acting Governor in cases not provided for herein. Designates successors to fill office of Lieutenant Governor in case he succeeds to governorship.

YES	
NO	

(For full text of measure, see page 5, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 14

This amendment clarifies the order of succession to the office of Governor and would prevent a situation similar to that which recently occurred in Georgia.

The language of the existing section is ambiguous, and if the Governor-Elect should die before taking office, it appears that an incumbent Governor, who may have been defeated for re-election, might continue to hold office until the election of his successor. In the case where the deceased Governor-Elect is also the incumbent Governor, the Lieutenant Governor would assume office only for the residue of the term. Thereafter the order of succession appears to be the last elected President pro Tem of the Senate, last elected Speaker of the House, the incumbent Secretary of State, Attorney General, Treasurer and Controller, in that order, to hold office until the election of a successor to the Governor. The Lieutenant Governor-Elect would appear to take only the office of Lieutenant Governor.

The proposed amendment provides that the Lieutenant Governor-Elect shall become Governor, and that further succession is to the officers-elect in the same order as now provided for incumbent officers.

The existing section is also ambiguous as to the term for which any successor other than the Lieutenant Governor shall hold office. The section provides that such successor would hold office until the next general election. This might result in causing a Governor to be elected at a general election other than that at which other State officers are chosen and consequent confusion as to the election of State and county officers who are now elected at the election at which a Governor is chosen.

The amendment clarifies this, and continues the term for the full period for which the Governor had been chosen. The proposal also covers a situation where several officers die in a common calamity such as recently occurred in Oregon.

In order to establish a complete plan of succession and avoid confusion such as prevailed in Georgia, it is necessary that the present section be clarified. The amendment is clear and covers every possible contingency.

Vote "Yes" on Proposition 9.

WILLIAM H. ROSENTHAL,
Assemblyman, 40th Dist.
GEORGE J. HATFIELD,
Senator, 24th Dist.

Argument Against Assembly Constitutional Amendment No. 14

In view of the decision of the Supreme Court of Georgia under a somewhat similar Constitutional provision as now exists in our Constitution, that a Lieutenant Governor elect would succeed to the Governorship upon his inauguration into office where the Governor elect had, in the meantime, died after election and prior to his inauguration, it is doubtful that the Supreme Court of California would not follow that decision, in which event the foregoing amendment is unnecessary.

However, if there is any doubt, it might be well that this or a similar amendment should be adopted.

RALPH M. BROWN,
Assemblyman, 30th Dist.

10 **INITIATIVES. Assembly Constitutional Amendment No. 2.** Adds Section 1c to Article IV of the Constitution. Provides that every constitutional amendment or statute proposed by the initiative shall relate to but one subject. Prohibits submission to the electors of initiative constitutional amendments or statutes embracing more than one subject and declares that any such initiative hereafter submitted or approved shall not go into effect.

YES	
NO	

(For full text of measure, see page 6, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 2

Assembly Constitutional Amendment No. 2 requires that any proposed amendment to the State Constitution submitted by initiative for approval by the others be limited to one subject. The purposes to be achieved are:

(1) Simplification and clarification of issues presented to the voters, and

(2) A more intelligent amendment of the constitution by permitting the adopted sections to be placed in appropriate subdivisions of the constitution.

First: Today, any proposition may be submitted to the voters by initiative and it may contain any number of subjects. By this device a proposition may contain 20 good features, but have one bad one secreted among the 20 good ones. The busy voter does not have the time to devote to the study of long, wordy, propositions and must rely upon such sketchy information as may be received through the press, radio or picked up in general conversation. If improper emphasis is placed upon one feature and the remaining features ignored, or if there is a failure to study the entire proposed amendment, the voter may be misled as to the over-all effect of the proposed amendment.

Assembly Constitutional Amendment No. 2 entirely eliminates the possibility of such confusion inasmuch as it will limit each proposed amendment to one subject and one subject only.

Protection is also given to those individuals who sign the sponsoring petition. People requested to sign the sponsoring petition will readily understand just what the entire proposition is and not be confused or misled by a maze of unrelated matters some of which are inadequately explained, purposely distorted, or intentionally concealed.

Secondly: By confining propositions to one subject they may, upon adoption, be placed in the

constitution in logical sequence and by such proper classification it will not only be easier to find the section when reference is made to the constitution, but it will contribute to the making of the constitution an easier document to read, thereby making it more comprehensible and understandable by the citizen who does not have any special or technical training in the law.

In the interests of better government by keeping the voting public more fully informed concerning matters upon which it is asked to pass judgment, Assembly Constitutional Amendment No. 2 should be approved.

LAUGHLIN E. WATERS,
Assemblyman, 58th Dist.

Argument Against Assembly Constitutional Amendment No. 2

The Constitution was amended in 1911 to reserve to the people the right to initiate laws and constitutional amendments—the right, as individual electors, to a direct voice in the Government of this State.

Proponents of this proposition now seek to restrict this power reserved to the people by requiring that each initiative measure relate to only one subject.

There is no basis upon which this infringement on the right of the people can be justified. No initiative measure, relating to more than one subject, has ever been submitted to the voters prior to this election and there is no evidence that the people would adopt such a measure if it contained undesirable provisions.

On the other hand, past experience has shown that the people have always exercised this right wisely and judiciously. Of more than 100 initiative measures submitted to the voters, not one of the measures adopted has proven unwise or injurious. Undesirable measures have been consistently defeated.

In 1920 and again in 1922 attempts were made to reduce the power of initiative by proposing an increase in the number of signatures required to qualify initiative measures relating to assessment and collection of taxes. Those proposed amendments were decisively defeated.

This proposition, a similar attempt to invade the fundamental principles of initiative, must also be defeated.

Should this proposition carry it will create a lawyer's holiday as initiative measures hereafter will be attacked to prove that more than one subject was involved. After all, what constitutes one subject? Is "taxation", or "education", or "liquor", or "social welfare" one or more than one subject? Only the Supreme Court will be able to determine after long and expensive litigation.

Protect the rights of the people in their government. Vote "NO" on Proposition No. 10.

RALPH C. DILLS, Assemblyman, 69th Dist.

11 MUNICIPAL CHARTERS. Assembly Constitutional Amendment No. 18.

Amends Section 8 of Article XI of the Constitution. Permits submission of city charters and charter amendments either at special election or ensuing general or municipal election, in place of present requirement that same be submitted 40 to 60 days after completion of publication. Permits charter amendment petitions to be filed at any time. Permits charter to establish borough form of government in less than entire municipality. After establishment of borough, prohibits amendment of borough powers without majority consent of borough voters. Defines "qualified electors" as those currently registered.

YES	
NO	

(For full text of measure, see page 6, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 18

This amendment proposes to amend that section of the Constitution which governs the procedure under which cities and cities and counties, having a population of more than 3,500 inhabitants, may frame a charter for its own government with respect to its local affairs. The amendment here proposed is for the purpose of clarification of that procedure. The Constitution now provides two methods, by either of which, amendments to a city charter may be made: (1) A city council on its own motion may propose an amendment to the voters of its city for their approval; (2) The people of a city, by petition, may propose an amendment which the City Council shall submit to the voters of such city at an election called for that purpose or at any general election. The present provisions of Section 8 of Article XI of the Constitution require such an initiative petition to be presented to the city council or other legislative body of a city "not less than 60 days prior to the general election next preceding a regular session of the Legislature." This amendment provides that such an initiative petition for a charter amendment may be presented to the clerk of the legislative body at any time. If such a petition has sufficient signatures, then the city council shall submit such charter amendment to a vote of the people of such city "at the time of the holding of the next general or municipal election held not less than 90 days from the filing of such petition." Most of the cities of this State hold their municipal elections in the spring while the Legislature is in session. This amendment will permit such cities to submit such charter amendments, initiated by petition, at their regular municipal elections and save the expense of a special election. This is particularly true of such cities as Oakland, Long Beach, Los Angeles, San Diego, and those other cities having spring elections.

This resolution also proposes to amend Section 8 of Article XI to provide that cities may amend their charters to provide for the creation of boroughs in a part of such city and to give such boroughs such powers as the charter may prescribe. Under the present law an entire city must be divided into boroughs, or none of it. This amendment would permit suburban districts of a large city to be granted some measure of local control over matters of special interest to such suburban communities.

The adoption of this amendment will clarify the procedure for the adoption and amendment of city charter and make for better local government and make such local government more responsive to the desires and needs of the community.

While there is an inadvertent conflict in the election dates of the proposal, the conflict may be reconciled by interpretation and the conflicting provisions may easily be eliminated later by further amendment.

I respectfully urge a yes vote on Assembly Constitutional Amendment No. 18.

L. E. WATERS, Assemblyman, 58th Dist.

Argument Against Assembly Constitutional Amendment No. 18

The purpose of this amendment was to correct and clarify the procedure by which amendments to a city charter may be made. Although the amendment originally proposed was technical and noncontroversial, several additional amendments were included at the same time, and in drafting such changes, conflicting provisions with respect to the time of calling the election were inadvertently included, and therefore some of the proponents of the proposal have requested a "NO" vote on the proposition. Although it would be desirable to clarify the procedure by which amendments to a city charter may be made, it is less desirable than adopting the conflicting election dates included in this proposition.

Vote "NO" on Assembly Constitutional Amendment No. 18.

THOMAS A. MALONEY,
Speaker Pro Tempore of the Assembly

12	**LOCAL CONTROL OF INTOXICATING LIQUORS. Initiative Constitutional Amendment.** Adds Section 22½ to Article XX of Constitution; provides that State licenses for retail sale of intoxicating liquors, whether for consumption on or off the premises where sold, shall not be valid until approved by governing body of county or city wherein sale premises are located; confers upon the governing body of each county and city, and upon the voters thereof, power to forbid or regulate the sale and barter of intoxicating liquor within such county or city, or any portion of such county or city.	YES	
		NO	

(For full text of measure, see page 7, Part II)

Argument in Favor of Initiative Proposition No. 12

This proposed Amendment provides an effective control by local authorities over acts of the Board of Equalization relating to issue, renewal, and transfer of Liquor Licenses. It applies to retail liquor licenses only. It does not cover nor affect in any way manufacture, transportation or possession.

The centralizing of complete authority in the hands of a State agency has proved to be a mistake. The Board of Equalization has shown a complete lack of interest as to local opinion, has failed to cooperate with local authority with respect to undesirable places. Their administration has resulted in the over-loading of our communities with liquor establishments, far in excess of our needs, wishes, or our ability to police. The liquor problem is one too important to our everyday life to be handled by remote control. This measure will give us an effective voice through local authority, at the same time continuing the Board of Equalization as the sole licensing agency —a truly democratic procedure.

Further, this Amendment provides the authority for city and county voters to express themselves on the question of the sale and barter of intoxicating liquors. DOES NOT GIVE LOCAL OPTION—merely gives the right to a local vote —not allowed under present law. This is the only proposal on the November ballot which will make any improvement in the present liquor situation. The following are representative of thousands of public-spirited citizens who heartily recommend a favorable vote on this measure: Dr. Robert A. Millikan, James K. Moffitt, Dr. E. Wilson Lyon, George Pepperdine, Dr. William C. Jones, Fred H. Brice, Mrs. James K. Lytle, Mrs. Paxton L. Lytle, Mrs. Joseph S. Hook, Charles C. P. Hoehn, John B. Elliott, Mrs. Gertrude H. Rounsavelle, Judge Thomas L. Ambrose, Albert H. Rodin, Frederic P. Woellner, Mrs. Charles D. Hill, H. F. Whittle, Dr. Osman R. Hull, Dr. Hubert Eaton, Miss Mary Virginia Morris, Mrs. Don Woods, John D. Cummey, William A. Holt, William S. Porter, Mrs. Charles F. Nelson, Mrs. Justus A. Kirby, Judge W. Cloyd Snyder, Dr. Francis Shunk Downs, James Melville Rust, A. I. Stewart, John W. Yates, T. Fenton Knight, Marshall Stimson, Bishop Claude W. Nalder, Dr. Paul C. Johnston, Mrs. Paul Elliott, Mrs. Charles McDowell, John Anson Ford, James Wallace, Mrs. Osman R. Hull, Mrs. Charles Howe, David H. Cannon, Rev. Paul Little, Dr. E. Forrest Boyd, Dr. Hugh MacLean, Mrs. Robert L. Burns, George W. Dryer, Mrs. Byron H. Wilson, Roland Maxwell, Harry G. R. Philp, Rev. William P. Gaston, Charles H. Randall, Earl E. McClary, James G. Warren, Preston D. Richards, Mrs. John Ferguson, Mrs. Frederic P. Schrader, John O. Paulston, Rev. Reuben A. Olson, Mrs. Edwin J. Strong, E. L. Overholt, Horace C. Head, George Townsend, Mrs. Etta Glahn, Joseph M. Ewing, Dr. Nelson D. Weed, Edmund W. Gerry, M. E. Sandoz, L. E. Hallowell, Mrs. Ernest O. Lee, Dr. Leland D. Jones, Lorin Griset.

RUFUS B. VON KLEINSMID, Author

Argument Against Initiative Proposition No. 12

This amendment is the forerunner to local prohibition and will bring back all the evils of prohibition days.

It proposes to give City Councils and Boards of Supervisors the right to disregard all existing State Constitutional provisions and statutory laws pertaining to the sale of alcoholic beverages and adopt ordinances and resolutions regarding such sale without regard to ANY state pattern.

Proponents argue "local control" is necessary. We already have "local control" in California, Section 66.5 of the California Alcoholic Beverage Control Act makes it "the duty of every peace officer and every district attorney in this State to enforce the provisions of this act, and to inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions hereof."

Cities and counties, by an act of the Legislature, now receive all license fees collected in connection with the sale of alcoholic beverages, to the amount of about $8,000,000 per year, which reduces the local taxes in each community. Prohibition would mean a loss of this money.

This amendment would wipe out the average annual California $17,000,000 excise tax and license revenues California derives from the alcoholic beverage industry and would throw this additional tax burden on the small home owner and average citizen.

My entire career in the Legislature has been devoted to reducing taxes for the small home owner rather than burden them with more taxes beyond their means to pay.

VOTE NO ON NUMBER 12.

THOMAS A. MALONEY, Assemblyman
20th District, Speaker pro Tempore

Argument Against Initiative Proposition No. 12

This proposed amendment is a device by Prohibitionists to "divide and conquer" the people of California. Even though disguised as a "local control" measure, its real purpose is to establish Prohibition locally and throughout the State.

Experience has demonstrated the futility of Prohibition, whether applied locally, statewide, or nationally. When Prohibition becomes an issue in local politics, officials are selected according to whether they are "Wet" or "Dry", and efficiency of local government is destroyed. The question of Prohibition in local politics in California would create endless controversy among our citizens. Liquor control should function on a statewide basis.

The alcoholic beverage industry is an important factor in our economic life. It provides a constant market for the vast acreages of grapes, barley, hops, peaches, apricots, oranges, lemons, olives, and many other agricultural products raised in this State.

This industry supports values of real property throughout the State, both in the agricultural areas and in the cities, by reason of the land, stores, and buildings profitably utilized in its operations. This amendment would be productive of low farm values and empty stores on city streets.

More importantly, this industry furnishes employment to hundreds of thousands of workers in the manufacture, transportation and distribution of its products. Proposition No. 12 would jeopardize the job of every man employed in these operations. It could create a serious condition of unemployment here, and contribute directly to another economic depression.

California is prosperous. Do not vote to destroy that prosperity.

WATT L. MORELAND, President,
Southern California Business Men's Association

13 **SENATE REAPPORTIONMENT. Initiative Constitutional Amendment.** Amends Article IV, Section 6 of Constitution. Provides that Counties shall be represented in State Senate in proportion to population, but that no County shall have more than ten Senators. Eliminates present provision that no County shall contain more than one Senate District. Requires 1949 Legislature to reapportion Senate Districts according to population shown by 1940 Federal census, subsequent adjustments to be made following each decennial Federal census. Provides for election of all Senators in 1950, one-half of Senators to be elected every two years thereafter.

YES	
NO	

(For full text of measure, see page 7, Part II)

Argument in Favor of Initiative Proposition No. 13

This measure is designed to restore more representative government in the California State Legislature.

More equality of voice in the State Senate for every Californian is embodied in this measure, which would reapportion the State Senate on a population basis, with a favorable concession to the less populated counties.

A total of 26 States elect their Senates on population basis, and 9 others on modified population. The latter system is proposed in this initiative measure.

California's spectacular growth has outmoded the so-called "federal plan" of election by area. Today, Inyo-Mono Counties Senatorial district with 11,400 population has the same "equality" in the Senate as Los Angeles County Senatorial district with 3,611,000 population—based on 1947 estimates.

Under the present law, one State Senator represents the diverse interests within the borders of Los Angeles County.

In Alameda County, the City of Berkeley's 100,000 population shares a Senator with Oakland and Alameda City and the rural sections of that county. Yet four Senatorial districts of small counties, with approximately the same population as Berkeley, have one Senator apiece.

San Diego County with 460,000 population (1947) is outvoted 11 to 1 by eleven Senatorial districts with a total population of 417,420.

Women are now disfranchised. San Francisco had 210,776 registered women voters in April 1948—a larger number than the registered men and women voters of 12 Senatorial districts composed of smaller counties.

Veterans are disfranchised. Seventy-six per cent of the State's veterans of all wars—1,019,990—reside in the ten most populous counties but have only 25 per cent representation in the State Senate.

Taxpayers are now disfranchised. Ten populous counties, which pay 81 per cent of the sales and use taxes and 94 per cent of all income taxes, have 10 Senators or 25 per cent representation. The State Constitution provides that one-third of the Senate can veto appropriation bills.

The Senate Reapportionment initiative measure provides for reapportionment in proportion to population, but no county can have more than 10 State Senators. Thus, Los Angeles County would have 10 Senators, each representing 361,000 residents. San Francisco would have approximately 4 Senators, Alameda 3, and San Diego County 2. Nine other counties—Contra Costa, San Bernardino, Fresno, Santa Clara, Sacramento, Kern, San Joaquin, San Mateo and Orange, ranging from 300,000 to 171,000 population—would each have one Senator, as at present, until their population growth warrants an increase in Senatorial representation.

Northern California would have 23 State Senators, while Southern California, excluding San Luis Obispo but including Kern County, would have 17 State Senators. Senators would remain 40 in number, and be elected for 4 year terms as at present.

County boundary lines are historically haphazard accidents, established arbitrarily, and giving California a large number of small sparsely populated counties. Such a capricious formula does not furnish a sound base for establishing equitable representation, according to the needs of the population of the State of California.

Vote YES and restore representative government.

JNO. W. PRESTON, Former California State Supreme Court Justice
M. C. HERMANN, Adjutant, Veterans of Foreign Wars, Dept. of California
C. J. HAGGERTY, Secretary-Treasurer, California State Federation of Labor

Argument Against Initiative Proposition No. 13

Twice within two decades, California voters have overwhelmingly defeated attempts to consolidate political power in the residents of less than 5 percent of the State's area. These measures would have virtually disfranchised 54 of the State's 58 counties and placed their inhabitants at the mercy of the urban areas.

Proposition No. 13 is another bold attempt to destroy the balanced system of representation which now prevails in our State Legislature. The so-called "reapportionment" consists of a provision for election of senators on a rigid population basis, with the single limitation that no county may have more than 10 senators. Since the number of senators is limited to 40, it is apparent that three big metropolitan districts would control both legislative houses and the destinies of the great producing areas which represent the sinew and strength and economic life blood of California.

Our American system of government is based on checks and balances to prevent intolerant majorities from destroying minority rights and to encourage fair compromises. When the rapid growth of California cities produced a cleavage of rural-urban interests, California voters recognized that principle by adopting the "Federal Plan" of legislative representation which gives the big cities control of the Assembly (where Los Angeles County alone now has 32 of the 80 members), but allows rural districts an equal voice in the Senate. It is the same principle which gives California, or Nevada, equality with New York in the United States Senate.

The great cities now control election of the Governor, Lieutenant Governor, most State officers, a large majority of the Assembly, both U. S. Senators, and a majority of the State's members in the House of Representatives. Additionally, through the initiative and referendum, urban areas have both the power to legislate and to veto legislation. With such safeguards any claim that the present system blocks needed legislation is untrue and fantastic. Rural California, on the other hand, has only one forum where it can demand adequate consideration of its problems—the State Senate. If Proposition No. 13 is adopted, that forum would be lost.

California is recognized as one of the most progressive States in liberal legislation. This leadership was attained under the present "Federal Plan" which Proposition No. 13 would destroy. California's splendid educational system, progressive program for aid to the aged, liberal workmen's compensation and far-sighted regulation of

wages, hours and working conditions—all enacted by the Senate—are among the most advanced in the Nation. And passage of Senate Bill 40 in 1946 made California one of two States which have provided assistance for persons unemployed due to illness. Any statement that the present system tends to block liberal legislation is so completely unsupported by the record that it cannot be made in good faith.

To assure fair representation to voters in all counties, and to prevent selfish interests and unscrupulous political bosses from controlling the Legislature, VOTE "NO" ON PROPOSITION NO. 13.

MRS. J. C. BRADBURY, President, California Federation of Women's Clubs, Modesto
MR. ROLLIN BROWN, Los Angeles
JUSTUS F. CRAEMER, President, California Press Association, San Francisco
FRANK P. DOHERTY, Attorney at Law, Los Angeles
THOMAS A. J. DOCKWEILER, Attorney at Law, Los Angeles
RICHARD GRAVES. Executive Secretary, League of California Cities, Berkeley
A. J. McFADDEN, President, Agricultural Council of California, Santa Ana
GARRET McENERNEY, II, Attorney at Law, San Francisco
THOMAS J. RIORDAN, Past Department Commander American Legion, San Francisco.
W. P. WING, Secretary-Manager, California Wool Growers Association, San Francisco

14 HOUSING. Initiative Constitutional Amendment. Adds Article XXVII to Constitution. Creates State Housing Agency. Authorizes State to guarantee obligations of, and furnish operating subsidies to, public housing authorities, expenditures for such purposes not to exceed $25,000,000 annually. Authorizes State bonds up to $100,000,000 to finance State loans to public housing authorities and private non-profit housing associations; bond principal and interest to be paid from State tax revenues. Prescribes State and local government powers, eminent domain and other powers of housing authorities. Regulates taxation of housing authority property. Exempts local housing authority bonds from taxation.

YES	
NO	

(For full text of measure, see page 8, Part II)

Argument in Favor of Initiative Proposition No. 14

100,000 low rent homes will be built in California under provisions of the Housing Initiative.

743,000 families were reported homeless, in transient facilities, or living in slums, by the California State Legislature Joint Senate-Assembly Committee on the Housing Shortage in 1947.

The majority of these homeless families cannot afford most homes constructed since the end of the war. In addition, the number of new families each month is greater than the production of new homes. Meanwhile the slums of the state continue to grow and the temporary wartime shelters deteriorate.

The people of California have waited three years for their national and state representatives to act upon this desperate housing problem.

The sponsors of the Initiative affirm that the largest part of the problem must be solved by private enterprise. However, they recognize that there are a large number of people, including veterans and their families, for whom private enterprise cannot provide. The sponsors believe that it is a proper responsibility of government to make it possible for these people to obtain decent homes.

New York, Massachusetts, Illinois, Wisconsin, Minnesota, and Connecticut have enacted similar legislation to meet their housing problem.

The interests of local communities are specifically protected by the following provisions of the Initiative:

1. Full repayment of the bond issue of $100,000,000 which the Initiative authorizes the State Housing Agency to lend to communities;
2. Use of existing local agencies rather than creation of new ones. The construction, operation, and ownership is locally controlled;
3. Increased revenue to local government;
4. Veterans will receive preference for a 5-year period. Priority is also given to evictees from sites of freeways and other public improvements. Urgency of need is the basis for preference, without discrimination as to race or creed;
5. 1-year residence in the State is required;
6. Eligible families are limited to those whose incomes are insufficient to meet the prices charged by private housing. Rents will be adjusted to income and kept within financial means of eligible families;
7. Building costs may not exceed the average in the locality; prevailing wages shall be paid; competitive bidding is required on all construction contracts;
8. Private groups, particularly veterans, may join together for construction, operation and private ownership of developments.

The Housing Initiative presents the first opportunity to the people of California to establish an adequate housing program. The Initiative provides the legislation whereby 100,000 homeless and ill-housed families in the State will be able to secure decent, safe, and healthy homes.

By the adoption of this Initiative, the people of California will fulfill their obligation to the men and women who served in the war; will relieve tax payers from the wasteful burden of the slums; and will help insure domestic security, full production and prosperity.

RT. REV. MSGR. THOMAS J. O'DWYER, Chairman, California Housing Initiative Committee
JOHN F. SHELLEY, President, State Federation of Labor, California
DR. VADA SOMERVILLE, Past President L. A. Metropolitan Council of Negro Women
SENATOR CHRIS N. JESPERSEN, Senator, San Luis Obispo County
MRS. HORACE GRAY, Housing Consultant, League of Women Voters of California

Argument Against Initiative Proposition No. 14

Vote NO! Hidden danger lurks in this housing initiative measure.

Designed as a rosy "cure-all" for housing shortages, the amendment would guarantee untold millions in heavier taxes, reduced local powers, tax-free encroachment on revenue-producing private business, and dwellings for a fortunate few regardless of their needs and circumstances.

Thinking citizens should vote "NO" on this measure because:

1. This tremendous new burden would impose upon the taxpayer:

(a) $100,000,000 of Housing Bonds would be sold by the State Treasurer. Payment of principal and interest is guaranteed by a NEW annual tax of undetermined amount.

(b) A $25,000,000 annual Housing Assistance Fund would be provided for 10 years; cost—$250,000,000.00, with a possibility of extending for 50 years, total cost—$1,250,000,000.

(c) A $750,000 annual Housing Administration Fund would be provided for 10 years; cost—$7,500,000.

2. This adds a total new tax burden of up to

one and a third billion dollars, if the program is extended for 50 years.

3. The measure would create a constitutional amendment, difficult to change. If needed, housing aid should be provided by normal Legislative procedures.

4. While proposing slum clearance, the measure fails to limit rents for taxpayer-subsidized dwellings. There is no guarantee that families most in need of housing will be able to afford proposed public-financed units.

5. This measure creates a powerful new state executive agency with no responsibility to elected representatives of the people.

6. The measure would create a dictatorial bureau giving free-handed action, with the State Legislature powerless to restrain them. Nor could the Legislature reduce Agency spending. The measure wipes out present constitutional safeguards of private ownership by imposing new and increased powers of Eminent Domain.

7. The building industry is working to capacity. A public agency could not provide more total housing units than are being built under the present record-breaking program. This measure would rob home-construction projects of vitally needed materials. Government material stockpiling would cause prices to rise and building costs to increase.

8. Veterans' housing would be impeded by this measure. Veterans can take advantage of the liberal provisions of the Farm and Home Purchase Act of 1943, which has a record of being a sound and tried facility of our State.

The taxpayer will be hardest hit unless you defeat this measure with a "NO" vote. Its effect would be long-lasting, create tremendous confusion, handicap American-style business and weaken our democratic government.

VOTE NO!

FRANK P. MERRIAM,
Former Governor of California,
Long Beach, California
GEORGE L. EASTMAN,
Hollywood, California
J. W. O'SULLIVAN, Chairman,
Housing Committee, Dept. of California
AMVETS
Los Angeles, California
MRS. LEILAND ATHERTON IRISH,
Hollywood, California
MILTON J. BROCK, SR.,
President, National Ass'n. of Home
Builders,
Los Angeles, California
RAYMOND M. YOUNG,
Manufacturer,
Berkeley, California
CARLETON B. TIBBETTS,
San Marino, California
EARL W. SMITH,
Chairman, Home Builders Council of
California
San Francisco, California
RAY D. NICHOLS,
Oakland, California
JOE D. DICKEY,
Fresno, California
HAROLD C. GEYER,
Monterey, California
FREDERICK C. DOCKWEILER,
Attorney, Los Angeles, California
LAGUNA BEACH CHAMBER OF
COMMERCE

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15 **FISH NETS. Initiative.** Amends Fish and Game Code. Prohibits use of purse nets and round haul nets for fishing in ocean and tide waters of the State south of line extending due west from Point San Simeon in San Luis Obispo County. Expresses purpose of conserving fish supply. Subject to limitations, permits use of bait nets for taking bait fish. Provides penalties for violation.

YES ☐

NO ☐

(For full text of measure, see page 13, Part II)

Argument in Favor of Initiative Proposition No. 15

Proposition No. 15 is designed to insure an adequate supply of ocean fish for *both* the sportsmen and commercial fishermen. It proposes to preserve a nature resource which is part of the wealth of the people of California.

By barring the use of purse seine and round haul nets only, along the Southern California coast within the three mile limit, (except for the taking of bait fish) this measure establishes a *sanctuary wherein the small fish may survive and propagate.*

Twenty years ago the Chief of the California Bureau of Marine Fisheries, speaking of our sardine fishery warned, "*. . . there is every indication that the waters adjacent to the fishing ports have reached their limit of production and are already entering the first stages of depletion.*"

In spite of the above and other warnings, the practically unregulated purse seine and round haul fishermen have made no intelligent effort to conserve this fishery. They have resisted and blocked any and all legislation aimed toward sound conservation advanced by the sportsmen and conservationists of California.

This measure *will not* affect more than a very small percentage of the commercial fishing industry. It does not affect the gill, trawl and trammel net fisherman, who at the present time fishes these waters extensively. His catch supplies your fresh table fish. On the contrary this measure will, by increasing the supply of fish food, lead to a larger supply of table fish at lower than present day prices.

Our opponents may claim this measure will destroy an industry. In effect however, it will only require the purse seine and round haul net fisherman to travel another 20 minutes to his fishing grounds.

Boats and nets have increased in numbers and size and as a result of uncontrolled and unregulated fishing the sardine peak catch of 542,000 tons during the 1944-45 season took a sharp and disastrous decline of 400% in four years to some 125,000 tons during 1947-48. This condition was brought about almost entirely by overfishing.

It is of vital importance to all of us that our Pacific Coast Fishery be preserved.

Vote *yes* on this measure to preserve California's multi-million dollar commercial fishing industry.

Vote *yes* on this measure to preserve California's multi-million dollar sports fishing industry.

Vote *yes* to preserve the recreational value for the thousands who cram our live bait boats every week end . . . who fish off our piers and in the surf or from their own boats.

Vote *yes* for conservation . . . *there is room for both industries* . . . continued over-fishing will destroy both.

SAVE OUR OCEAN FISH—VOTE YES ON PROPOSITION 15.

DOCTOR A. R. ANDERSON,
President, Southern Council of
Conservation Clubs, Inc.

Argument Against Initiative Proposition No. 15

This proposition is put on the Ballot by INITIATIVE PETITION, circulated by SOUTHERN COUNCIL OF CONSERVATION CLUBS, INC., an Organization representing approximately 1.6 of California's Sportsmen.

It prohibits use of Purse Seine or Round Haul Nets (except for taking Bait for *Sportsmens'* use) in all State Waters "between San Simeon and the California-Mexican Border."

This INITIATIVE would tend to destroy a

great Industry and eliminate a tremendous annual food supply of low cost, high quality protein.

Catch by gear to be outlawed, from area to be eliminated by the INITIATIVE, amounts to approximately 490,000,000 pounds annually; a pack of 3,000,000 standard cases of fish—NOT INCLUDING *fresh* fish; 2,500,000 gallons of fish oil for foods, vitamins, paints, linoleum, etcetera, and 50,000 tons of fish meal for balanced poultry feeds.

This INITIATIVE is far reaching—affecting the lives, business and earnings of a large segment of our population. NOT ONLY will 6,000 Cannery Workers become idle and 6,000 or more Fishermen,—it will reduce earnings of workers in ALL Allied Industries,—Can Manufacturers, Label Makers, Carton Companies, Shippers, Tomato Sauce Suppliers,—mentioning a few.

This INITIATIVE will diminish many payrolls and reduce an enormous Industry to an economic impossibility. (The area involved is the largest fish producer in the United States.)

An INITIATIVE controlling a Natural Resource is basically unsound—creating an unwise degree of permanent control over a widely fluctuating resource. Ocean Fishery is subject to great natural changes in abundance yearly with periodical good and bad "crops"—even WITHOUT man's interference.

Proponents of this INITIATIVE advance arguments under the guise of "CONSERVATION". Their definition of "CONSERVATION" being—"SAVE THE FISHERY"—*YES*—SAVE IT FOR THEIR *OWN* UTILIZATION! Evidence of this is—THEIR PROPOSAL TO ALLOW BAIT FISHING (WHICH TAKES ONLY THE YOUNG, IMMATURE SARDINES BEFORE THEY HAVE REACHED A SPAWNING AGE)—*TRUE* "CONSERVATION" of a Natural Resource is WISE USE AND MANAGEMENT UNDER COMPETENT SUPERVISION TO BENEFIT THE *MAJORITY* of people.

The Fishing Industry has long recognized NEED of TRUE CONSERVATION of our Natural Resources, and by special taxation has contributed many thousands of dollars to aid in formulation of adequate conservation policies. Additional funds have been made available, by increased taxation of the Industry,—the Legislature having allotted $300,000.00 for research purposes. This Committee, cooperating with the University of California at Scripps, is to make investigations and recommendations to the Legislature for "official care and supervision" of this valuable resource. The DEMOCRATIC method of perpetuating our Natural Resources is this: SCIENTIFIC USE AND MANAGEMENT OF FISHERIES TO BENEFIT THE *MAJORITY* AND NOT DICTATORSHIP OF A BIASED *MINORITY*.

If this INITIATIVE becomes a Law, a dangerous precedent is established. The NEXT step would be to outlaw ALL COMMERCIAL FISHING—thus destroying the vast workers' income it represents. . . . THEN—WILL *ANYONE* have the wherewithal to USE these recreational fishing waters a few Sportsmen would create for *THEIR* SPECIAL PRIVILEGE?

VOTE—NO!

DO NOT DEPRIVE THE PEOPLE OF A BASIC FOOD SUPPLY AND AN ANNUAL PAYROLL OF $200,000,000.00.

HUGH M. BURNS,
Senator, 30th Dist.
JOSEPH SCOTT
VINCENT THOMAS,
Assemblyman, 68th Dist.
IRWIN L. DE SHELTER,
C. I. O. Regional Director
EDWIN T. COOK
C. J. HAGGERTY,
Secretary, California State Federation of Labor

16 CHIROPRACTORS. Amendment of Initiative Act. Amends Chiropractic Act. Authorizes State Board of Chiropractic Examiners to approve or disapprove schools, prescribe requirements therefor, and determine minimum requirements for chiropractic teachers. Requires license applicants to be graduates of approved schools and increases minimum chiropractic course from 18 to 36 months. Authorizes Board to employ investigators, clerical and other help, and non-member secretary. Adds power of license suspension to Board's present power of revocation; brings disciplinary proceedings under Administrative Procedure Act. Eliminates fixed $2 annual license renewal fee and authorizes Board to prescribe renewal fee between $2 and $10.

YES	
NO	

(For full text of measure, see page 13, Part II)

Argument in Favor of Amendment of Initiative Act

The Chiropractic Law was approved by the voters as an initiative act on November 7, 1922, and has remained unchanged since that date. As an initiative act, it can be amended only by vote of the people. The present amendment adopted by the State Legislature after extensive study and investigation is therefore referred to the people for ratification.

This amendment will raise the educational requirements for applicants from the 2400-hour course of study of three school terms of six months each now required by the original act, to a 4000-hour course of four terms of nine months each, which is the standard course now generally required by schools approved in California by the State Department of Education and the Veterans Administration and approved by the National Chiropractic Association.

It will require graduation from a school approved by the State Board of Chiropractic Examiners which will permit the Board of Examiners to question credentials and transcripts from out-of-state schools of questionable standards and reputation, and will authorize the Board to determine minimum qualifications for teachers of chiropractic.

It will permit the Board of Examiners to employ and compensate a secretary, investigators and assistants which will provide competent and efficient administration of the duties vested in the Board by the Act, and will authorize the Board to increase the fee for yearly renewal of licenses from the present fee of $2.00 to a maximum of $10.00.

These amendments represent needed changes in the 1922 act to keep pace with the advanced standards of education and to preserve for the people the guarantee of competent administration and enforcement of an act directly affecting the public health.

There can be no justifiable opposition to this measure, which embodies the approved standards of chiropractic education of the National Chiropractic Association's Council on Education and the California Chiropractic Association's Committee on Education. Chiropractic colleges in other states have long required a four-year course of study and today enjoy the largest enrollment in history. The Los Angeles College of Chiropractic, owned and operated by the profession in California, is operating on a four-year course, and it too has the largest enrollment it has ever enjoyed. Experience seems to indicate that raising the educational standards increases the desirability of the profession. It certainly affords greater protection to the public by assur-

ing a higher minimum standard of technical training of those practicing in this branch of the healing arts.

A "Yes" vote is urged on this measure by the following:

California Bureau of Vocational and Professional Standards
State Board of Chiropractic Examiners
California Chiropractic Association
(25 separate districts of the California Association covering the entire State.)
Los Angeles County Chiropractic Association
Los Angeles County Coordinating Council of the California Chiropractic Association
Citizens Rights Association
Citizens Health League
National Chiropractic Association
Council on Education of the National Chiropractic Association
Committee on Accrediting of the National Chiropractic Association
Director of Education of the National Chiropractic Association
House of Delegates of the Educational and Specialties Societies of the California Chiropractic Association
Los Angeles College of Chiropractic

RANDOLPH COLLIER,
Senator, 2d Dist. and Chairman, Public Health and Safety Committee, State Senate.

Argument Against Amendment of Initiative Act

Senate Bill 972 is not an educational bill. It is another desperate attempt by a certain pressure group of licensed Chiropractors in California who unsuccessfully attempted in 1934 and 1939 to get the voters of this state to authorize the practice of medicine through legislation instead of by education. And again in 1945 this same group was defeated at Sacramento in a legislative attempt to appropriate the title "Physician".

The proposed amendment cleverly circumvents the existing appointive power of the governor by making it optional with the Board of Examiners whether its secretary shall or shall not be a member of the board and, if the secretary is a member of the board, he could vote to fix his own salary.

This act would delegate unlimited power to the board to *approve* or *disapprove* schools, colleges and teachers at the inexperienced discretion of the Chiropractic board without a legislative or fixed standard to guide it.

The board will have the power to employ investigators and *other employees* to carry out the *rules* and *regulations* adopted by the board at its own discretion on a bureaucratical basis; a perfect set up for political corruption which, legal authorities advise, is an unconstitutional delegation of power.

This act proposes to change Chiropractic subjects to those of medicine—to wit: Analysis, the basis of Chiropractic has been completely eliminated. The study of anatomy has been reduced from 25 per cent to a possible 18 per cent of the course and the Principles and Practice of Chiropractic may be completely eliminated for office procedure and some physiotherapy. Any part of 17 per cent of four thousand hours or 680 elective study hours could be used to teach *medicine, surgery and/or obstetrics.* There is no provision to prevent the 5000 Chiropractors, now licensed, (without training in such subjects) from practicing in these fields.

Hundreds of Veterans now in Chiropractic Colleges will have spent their governmental educational aid and will not be permitted to take the State Board Examinations nor will they be permitted to practice because of this switch from Chiropractic to medical courses as provided in this proposed act and millions of Government tax dollars will be thrown away.

Past Boards have operated efficiently on the collection of present renewal license fees; however this act would permit the board to increase these fees 500 per cent—WHY?

Protect the health of your families and the interests of the veterans who risked their lives to stop such ruthlessness—*VOTE NO ON S.B. 972!*

H. C. M. SHERWOOD, D. C., Secretary, Federated Chiropractors of California
Member, United Chiropractic Council
HOMER YORK, D. C., Past President, California Chiropractic Association

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17 **STATE CIVIL SERVICE EXEMPTIONS. Senate Constitutional Amendment No. 22.** Amends Section 4 of Article XXIV of the Constitution. Exempts from State Civil Service officers and employees of district agricultural associations employed less than six months per calendar year; stewards, judges and veterinarians of California Horse Racing Board employed on part-time basis; full time hide and brand inspectors of State Department of Agriculture, and not exceeding four employees of State Board of Equalization. Prohibits Legislature from reviving any optional exemption from State Civil Service, once such exemption has been abolished.

YES	
NO	

(For full text of measure, see page 14, Part II)

Argument in Favor of Senate Constitutional Amendment No. 22

We, the undersigned, are in favor of Senate Constitutional Amendment No. 22, because the Bureau of Livestock Identification, which administers the hide and brand service is a self-supporting agency and the fees collected from the livestock industry carry the full expense of operating this Bureau of the State Government.

Stockmen have not been satisfied with the administration of this Bureau, and we have had to increase inspection fees at practically every session of the Legislature in the past several years to meet the heavy increases in expenditures. The stockmen who support this agency of the State Government feel strongly that if the employees of the Bureau were exempt from Civil Service, they could administer the hide and brand service with satisfaction and dispatch.

The movement of livestock is seasonal and requires a flexible force of hide and brand inspectors to do the job and give the stockmen the greatest degree of service. This flexibility is not possible under civil service. We believe stockmen could hire more efficient personnel if the livestock industry had complete charge of the Bureau, because it is our experience that efficient hide and brand inspectors are people who have learned the business through actual experience and hard work. These men, in many instances, are not capable of meeting the rigid requirements of civil service. Therefore, civil service should not exercise its authority over this agency of the State Government when stockmen receive all the benefits and pay all the costs.

JOHN H. GUTHRIE,
President, California Cattlemen's Association
HERMAN COLPEIN,
Chairman, Cattle Department
California Farm Bureau Federation
L. A. ROZZONI,
Chairman, Livestock Department
California Farm Bureau Federation
L. W. RENNE,
Chairman, Dairy Department
California Farm Bureau Federation
ROY OWENS, Chairman,
Hide and Brand Committee
California Farm Bureau Federation

Argument Against Senate Constitutional Amendment No. 22

THIS AMENDMENT SHOULD BE DEFEATED BECAUSE:

1. It will remove from civil service all the employees in the Hide and Brand inspection division of the State Department of Agriculture (Sec. 4(a) (17)).
2. It undermines the State civil service.
3. It substitutes the Spoils System for the Merit System in the selection of a number of permanent State employees.
4. No reason has been given justifying this provision.
5. If adopted it will be the opening return of other State services to the Spoils System.
6. Endless confusion in the Department of Agriculture will result.

Exceptions (1) to (14) of subdivision (a) of Section 4 of Article XXIV of the State Constitution were in the Constitutional Amendment when adopted by the people in 1934 by the overwhelming vote of 1,216,141 to 382,609. A number of those exceptions have since been made civil service by the Legislature.

Exceptions (15), (16), (17) and (18) are being added by this Senate Constitutional Amendment No. 22. Exceptions (15), (16) and (18) deal only with temporary or already exempt employees.

Exception (17) will remove from civil service a number of permanent civil service employees and an entire division in the Department of Agriculture.

When introduced in the Legislature, the amendment did not contain exception (17). This exception was added on the floor of the Senate AFTER the measure had been heard in Committee. The Committee had no opportunity to consider the merits of exception (17).

Because the exception was added in the busy closing days of the Legislature, those interested in and charged with the administration of the Merit System and the Hide and Brand inspection laws, such as the Department of Agriculture and the State Personnel Board, were unaware of the insertion of exception (17) and learned of it only after the Legislature had adjourned and when it was too late to make their objections known to the legislators.

The concern of the Department of Agriculture over the proposed removal of the Hide and Brand Inspectors from civil service, and their opposition to such a move is expressed in the following Resolution adopted by the State Board of Agriculture on March 15, 1948:

"It was regularly moved, seconded and carried by the California State Board of Agriculture, meeting at Sacramento, Monday, March 15, 1948, that the California State Board of Agriculture recommends opposition to Senate Constitutional Amendment No. 22 because of the inclusion therein of hide and brand inspectors employed by the California State Department of Agriculture."

No meritorious reason has been given why this class of permanent employees should be singled out for removal from civil service. It is no different than many other inspection, law enforcement and other classes of permanent employees in the State civil service.

The California State Civil Service System is regarded as one of the outstanding systems in the nation and is used as a model in establishing other civil service systems. There should be no tampering with it.

VOTE *NO* ON SENATE CONSTITUTIONAL AMENDMENT NO. 22.

CALIFORNIA STATE EMPLOYEES' ASSOCIATION
F. M. CARTER, President
CALIFORNIA MERIT SYSTEM LEAGUE
JULIUS C. KNOBLAUCH, President

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18 **STATE PAYMENT OF TAX EXEMPTION LOSSES. Senate Constitutional Amendment No. 14.** Adds Section 19 to Article XIII of the Constitution. Requires State annually to reimburse each county, city and county, city, and district for losses in tax revenues arising from real property tax exemptions of veterans and of religious, hospital and charitable institutions.

YES ☐
NO ☐

(For full text of measure, see page 15, Part II)

Argument in Favor of Senate Constitutional Amendment No. 14

This measure simply equalizes between the State and local governments, and the taxpayers thereof, the loss in revenue resulting from the veteran and welfare property tax exemptions.

A *yes* vote is a vote for equality in taxation. This measure does not take away either the veterans or welfare property tax exemption.

This amendment strikes at a weak spot in the tax exemption set-up. The State now exempts property of veterans and welfare groups from local property taxation including that for county, city, school, and other district government. In passing this legislation the State has recognized its obligations to veterans and welfare organizations but has failed to assume responsibility for these obligations.

These tax exemptions annually cause heavy loss of revenue to counties, cities and districts. The State neither shares in the loss nor alleviates it.

Furthermore, the burden is not evenly distributed among local governments. It falls heavily upon certain areas, depending upon chance distribution of veterans and welfare groups throughout the State.

The record shows that veterans have settled more heavily in certain areas than in others. Those areas having the greatest number of veterans lose the greatest amount of tax revenue. The same situation applies in those areas where welfare groups are substantial property owners.

The heavy loss of tax revenue in some areas has seriously affected local governments therein. Ordinary property owners in these areas are also unfairly burdened. They must pay far heavier taxes than their proportionate share.

Among the districts, school districts are the most heavily hit. Their educational systems are largely dependent upon tax revenue; without it they inevitably suffer a serious curtailment of their educational program.

Veterans' exemptions are now increasing at a staggering rate. The uneven distribution of veterans and their families throughout the State makes the situation even more unsound. In one city, it is estimated that veteran exempted property in the 1947-48 fiscal year amounted to $61,359,316, and the result was a $1,118,580 loss in revenue.

The proposed amendment will pass the burden of these revenue losses from local governments to the State government, and, in so doing, will balance the unequal distribution of tax revenue now existing.

The measure provides that the State shall reimburse each county, city and district government with an amount equal to their annual loss of revenue resulting from the tax exemption of veteran and welfare property.

The amendment is limited strictly to reimbursement for veterans and welfare groups. The latter exemption does not include orphan asylums, church property, college property or any other type of property which was tax exempt prior to the adoption of the welfare exemption in 1944. These exemptions will still remain a burden upon the local property tax system, and will continue to be locally supported.

The State must uphold its obligations to veterans and to those who need its help. Passing measures for their benefit is not enough; financial aid should support these measures.

The amendment vitally affects you and your local government. Vote *yes* and give yourself and your local government a fair deal.

BEN HULSE,
Senator, 39th Dist.
Chairman of the Senate Interim Committee on State and Local Taxation

JOHN R. QUINN,
Past National Commander of American Legion and Assessor of Los Angeles County

GEORGE J. HATFIELD,
Senator, 24th Dist.

Argument Against Senate Constitutional Amendment No. 14

In the year 1944 there was submitted to all of the voters of California propositions which would permit the exemption from taxation certain property owned by veterans and religious and charitable institutions. A majority of all of the people of the State were in favor of the propositions and they are now part of our Constitution.

If this tax exemption is improper and is injuring local government then it is certain that the remedy is to amend the Constitution and remove the tax exemption. That is not what the proponents of the present amendment desire. They want to retain the exemptions and the benefits that go with them, and in addition to that they want the State Treasury to reimburse the cities, counties and all taxing districts for the revenue they would have received if the property belonging to the veterans and the institutions had not been exempted from taxation.

We take the position that tax money raised by the State should be spent for State purposes. It should not be given away. If too much tax money is raised then the State taxes should be reduced.

History in California shows that where a local expenditure is paid by a subsidy out of the State Treasury on the basis of a promise of reduction of local taxes it merely results in increasing the State tax burden and without any lasting reduction in local taxes. This was true in the case of the sales tax and also in the case of the liquor tax.

There is little or no incentive to economize with tax money where the spender does not have the responsibility of raising the tax. Grants from the State for local government without strict accountability lead to extravagance, wastefulness, and disregard for the tax burden which every spending by government creates.

The principle of the amendment is bad, the precedent is bad and is not a solution of the tax inequities that exist. It will not reduce the local taxes but will add to the burden of every taxpayer through the necessity of raising $25,000,000.00 a year by the State. In addition to the reimbursement of $25,000,000.00 per year there will be the additional cost of assessing and collecting the tax and determining the distribution of the reimbursement, and the auditing and accounting required which may add another $5,000,000.00 a year in unseen taxes.

The proposed constitutional amendment if adopted may lead to the establishment of other exemptions and further State tax burden. If the State Treasury is to reimburse the counties, the cities, and all taxing districts for the loss of this revenue, then why not reimburse all of them for the loss of taxes which they lose on College Property, Burial Plots, Church Property, and Orphan Asylums, all of which are now exempt from taxation under Article 13 of the Constitution.

There is no sound or sensible reason for voting for this amendment, therefore, your vote should be an emphatic "NO".

W. P. RICH, Senator, 10th Dist.

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19 **FISH AND GAME COMMISSION. Assembly Constitutional Amendment No. 27.** Amends Section 25½ of Article IV of the Constitution, which presently contains no provision permitting members of the Fish and Game Commission to hold office after the expiration of their respective six-year terms and until their successors take office. Amendment provides that each Commissioner shall continue in office after the expiration of his term and until the appointment and qualification of his successor.

YES	
NO	

(For full text of measure, see page 15, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 27

This measure, which is submitted to the people by a unanimous vote of the State Legislature, should have a *yes* vote.

When adopted, this measure will make absolutely clear that members of the Fish and Game Commission continue to serve after the expiration of their terms until their successors are appointed and qualified.

Because there has been some doubt that this was the existing law, members of the Fish and Game Commission have not served during the interim between the expiration of their terms and the appointment of their successors.

This has made it difficult, if not impossible, for the Fish and Game Commission to function during such interim.

In order that the Fish and Game Commission may function twelve full months in each year without any question arising as to the regularity of the membership constituting it, your *yes* vote is respectfully urged.

THOMAS M. ERWIN,
Assemblyman, 50th Dist.
WILLIAM S. GRANT,
Assemblyman, 70th Dist.

END

Part II—Appendix

VETERANS' TAX EXEMPTION. Assembly Constitutional Amendment No. 37. Amends Section 1¼ of Article XIII of the Constitution. Provides that veterans' $1,000 property tax exemption and $5,000 property ownership limitation shall be determined according to the "assessed" value of the property.

1

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 1¼. The property to the amount of one thousand dollars ($1,000) **assessed value** of every resident of this State who has served in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States (1) in time of war, or (2) in time of peace, in a campaign or expedition for service in which a medal has been issued by the Congress of the United States, and in either case has received an honorable discharge therefrom, or who after such service of the United States under such conditions has continued in such service, or who in time of war is in such service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of one thousand dollars ($1,000) **assessed value** of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served and has died either during his term of service or after receiving an honorable discharge from said service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, and the property to the amount of one thousand dollars ($1,000) **assessed value** of pensioned widows, fathers, and mothers, resident in this State, of soldiers, sailors and marines who served in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the **assessed** value of five thousand dollars ($5,000) or more, or where the wife of such soldier or sailor owns property of the **assessed** value of five thousand dollars ($5,000) or more. No exemption shall be made under the provisions of this section of the property of a person who is not legal resident of the State; provided, however, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation.

LOCAL CONTROL AND ENFORCEMENT OF INTOXICATING LIQUORS. Initiative Constitutional Amendment. Adds Section 22¾ to Article XX of Constitution; local governing bodies of County and City to regulate presence of minors in on-sale licensed premises and to regulate lighting and sanitation in such premises; permits unescorted women to be served liquor in such premises only when seated at table; requires apportionment of State liquor license fees to local governments; provides for speedy determination of complaints by local authorities against licensees; restricts issuance of distilled spirits licenses on population basis; continues in effect Section 22, same article; repeals conflicting provisions.

2

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Section 22¾. The purpose of this amendment is to promote social and moral welfare and temperance in relation to the sale and use of intoxicating liquor.

(a) It is hereby declared the duty of the governing board of every city, city and county, and county to adopt and enforce within its respective jurisdiction such ordinances and regulations as may be necessary for local control and enforcement of the following:

(1) To regulate the presence of minors in on-sale licensed premises;

(2) To require that on-sale licensed premises be so illuminated and ventilated, and so equipped with sanitary facilities that the public morals, welfare, and health will be protected and promoted.

(b) In on-sale licensed premises any woman not accompanied by a male escort may be served intoxicating liquors only when seated at a table.

(c) As used in this section "on-sale licensed premises" means any premises licensed for the sale of alcoholic beverages for consumption on the premises.

(d) All license fees collected by the State Board of Equalization for the manufacture, importation and sale of alcoholic beverages shall be apportioned semi-annually to the counties, cities and counties, and cities in the State in the proportion which such fees collected in each such county, city and county, or city, respectively, bears to the total of all such fees.

(e) The governing body or the chief law enforcement officer of any county, city and county, or city, may file a complaint with the State Board of Equalization stating that the continuance or renewal of any on-sale license would be contrary to public welfare or morals, but this provision shall not preclude the filing of any complaint against any licensee of said board in accordance with law. Said board shall prescribe such form and manner of notice, procedure, and hearing on all such complaints as will provide for the speedy determination of the issue and may revoke, suspend, refuse to renew, or condition the renewal of any such license.

(f) No new license for the sale of distilled spirits in original packages and not for consumption on the premises and no new annual license for the sale of distilled spirits for consumption on the premises shall be issued by the State Board of Equalization in any county or city and county in which the number of such licenses, respectively, exceeds one to every 2,500 population of such county or city and county. This provision does not apply to transfers or renewals of such licenses.

(g) Section 22 of Article XX of this Constitution as adopted November 6, 1934 is continued in full force and effect. If any amendment, other than this amendment, to this Constitution amending, repealing or conflicting with Section 22, including any amendment adding Section 22¾ to Article XX, is adopted at the general or a special election held in 1948 and this amendment also is adopted receiving a higher affirmative vote than such other amendment this amendment shall prevail; in such case any such other amendment receiving a lesser number of affirmative votes than this amendment is repealed.

RAILROAD BRAKEMEN. Initiative. Adds Section 6902.5, amends Section 6902, Labor Code. Empowers Public Utilities Commission to prescribe number of brakemen to be used on railroad trains. Prohibits feather-bed practices in employment of railroad brakemen on trains.

3

YES	
NO	

(This proposed law expressly amends an existing section of the law, and adds a new section thereto; therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~; and **NEW PROVISIONS** proposed to be **INSERTED** or **ADDED** are printed in **BLACK-FACED TYPE.**)

PROPOSED LAW

An act to add Section 6902.5 to, and to amend Section 6902 of, the Labor Code relating to employment of brakemen on railroad trains.

The people of the State of California do enact as follows:

Section 1. A new section to be numbered 6902.5 is hereby added to the Labor Code to read:

6902.5. The Public Utilities Commission of the State of California shall have the power, after hearing had upon its own motion or upon complaint, by general or special order, rule, or regulation, or otherwise, to require each common carrier by railroad within the State of California to operate its trains, with such number of brakemen as are necessary to promote the safety of its employees, passengers, and the public; provided, however, that the Commission shall not require the employ-

ment of such number of brakemen as will result in feather-bed practices.

Section 2. Section 6902 of the Labor Code is hereby amended to read as follows:

6902. No common carrier operating more than four trains each way per day of 24 hours on any main track or branch line of railroad within this State, or on any part of such main track or branch line, shall run or permit to be run, on any part of such main track or branch line, any freight, mixed, or work train on which there is not employed at least one conductor and the following:

(a) One engineer and one fireman for each steam locomotive where the train is propelled or drawn by steam.

(b) One motorman for each train propelled or run by electricity.

(c) One motor or power control man for each train propelled by motive power other than steam or electricity.

(d) Two brakemen.

~~(e) Three brakemen for 50 cars, four brakemen for 76 cars and an additional brakeman for every additional 25 cars on any such train running on a track which attains a grade of less than 1 per cent for more than one-half mile.~~

~~(f) Three brakemen for 50 cars and an additional brakeman for every 25 cars or fraction of 25 greater than 12 cars on any such train running on a track which attains a grade of more than 1 per cent and less than 1½ per cent for more than one-half mile.~~

~~(g) Three brakemen for 50 cars and an additional brakeman for every 15 cars or fraction of 15 greater than seven cars on any such train running on a track which attains a grade of more than 1½ per cent for more than one-half mile.~~

~~Until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, the Railroad Commission may, upon the application of a carrier after hearing held upon notice thereof, issue a permit granting and allowing variations from the requirements of subdivisions (e), (f) or (g), specifying therein the scope and extent of such allowable variations, and the conditions under which allowable, if the commission finds that the requirements of subdivisions (e), (f) and (g), or certain of those requirements, operate in impairment of the war effort and if it further finds that the variations from such requirements specified in the permit will be helpful in furthering the war effort without unreasonably increasing the risk of impairing the health or safety of the employees or of the traveling public, in view of the emergency; and the Railroad Commission may at any time revoke, suspend or modify any such permit upon proof being made that the terms and conditions thereof have been violated or that the variations specified in the permit are no longer necessary.~~

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4 **AGED AND BLIND AID. Initiative Constitutional Amendment.** Adds Article XXV to Constitution. Increases maximum aid from $60 to $75 monthly for aged persons, and from $75 to $85 monthly for blind persons. Makes continuing appropriations from State Treasury to finance same. Changes eligibility standards; lowers age and residence requirements for aged aid; increases income and property exemptions permitted to recipients of aged and blind aid. Makes Director, Department Social Welfare, elective office; names first director. Places aid program entirely under State administration, eliminating county functions. Prescribes administrative procedures. Creates lien against State Treasury for cost of aid and administration.

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new article thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

ARTICLE XXV

Old Age Security and Security for the Blind Law

Section 1. The purpose of this article is to increase the amount of old age security to the needy aged of this State from its present maximum of $60 per month to $75 per month, and to increase the security to the needy blind from its present maximum of $75 per month to $85 per month and other provisions designed to improve the applicant's or recipient's way of life.

Increased cost of living has made the present amount of security to the needy aged and blind of this State inadequate, and in order to provide for the protection, care, and assistance to the people of the State in need and to promote the welfare and happiness of all of the people of the State, the increase of assistance to the needy aged and needy blind as provided by this article is necessary.

It is also the purpose of this article that this assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self respect, self reliance, and the desire to be a good citizen useful to society.

It is the purpose of this article to give security to every aged and blind person eligible under this article and who is needy, according to the provisions laid down by the Federal Government.

This article shall be cited as the Old Age Security and Security for the Blind Law, and all references to same shall be Old Age Security and Security for the Blind.

All security given under this article shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise. In case of bankruptcy the security shall not pass through any trustee or other person acting on behalf of creditors.

No officer or employee of the State shall make any demand on any person to contribute to the support of the applicant for, or recipient of, old age security or blind security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever.

Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights.

As used in this article, security shall mean any grants provided to an individual under this article.

Sec. 2. The amount of security to which any applicant for old age security shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five dollars ($75) per month. If, however, in any case it is found the actual need of an applicant exceeds seventy-five dollars ($75) per month, such applicant shall be entitled to receive old age security in an amount, not to exceed seventy-five dollars ($75) per month, which when added to his income (including value of currently used resources, but excepting casual income and inconsequential resources) from all other sources shall equal his need.

The amount of security to which any applicant for blind security shall be entitled, shall be when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources eighty-five dollars ($85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five dollars ($85) per month, such applicant shall be entitled to receive blind security in an amount not to exceed eighty-five dollars ($85) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

Sec. 3. For the purposes of this article, income and earnings of an applicant shall not be deemed income or resources of the applicant and shall not be deducted from the amount of old age security and blind security to which the applicant would otherwise be entitled; except if the net income and earnings exceed $360 annually.

This section shall take effect if, when, and to the extent that amendments to the Federal statutes or rules and regulations of The Federal Security Administrator take effect, permitting this State to give effect to this section without thereby rendering this State ineligible to receive Federal grants in aid for old age and blind security in this State.

Sec. 4. The Director of the Department of Social Welfare shall prescribe the form of application, the manner and form of all reports, and such additional rules and regulations as are necessary for the carrying out of the provisions of this article, and not inconsistent therewith. The Director of the Department of Social Welfare shall make such reports in such form and containing such information as the Federal Security Administrator may from time to time require, and shall comply with such provisions as the Federal Security Administrator may from time to time find necessary to assure the correctness and verification of such report.

The Director of the Department of Social Welfare shall be elected by the people for a term of four years, beginning in 1950, at a salary of not less than twelve thousand dollars ($12,000) per year, plus the usual necessary expenses.

The Director of the Department of Social Welfare shall administer all of the functions now imposed upon him by law and such other duties as the Legislature may from time to time provide.

The Director of the Department of Social Welfare may appoint, with the consent of the Senate, a committee or board of not to exceed seven (7) members, to aid and assist in the program under his jurisdiction. The committee or board so appointed shall serve at the pleasure of the Director of the Department of Social Welfare. The compensation of the members shall be set by the Legislature.

Members of the committee or board shall receive necessary expenses incurred in the course of their duties.

The Director of the Department of Social Welfare shall be empowered to act for the State in any matters required by the Federal Government that have to do with his line of duties.

Until the election of the Director of the Department of Social Welfare in 1950, Mrs. Myrtle Williams, 420 Avondale, Monterey Park, shall be Director; if she declines to act, Assemblyman Gordon R. Hahn, of Los Angeles County, shall be Director; if he declines to act, Assemblyman John W. Evans, of Los Angeles County, shall be the Director.

Sec. 5. Old age security shall be granted under this article to any person who is a citizen of the United States and comes within the description in subdivision a or b and within the description in subdivision c:

(a) Is 65 years of age or over and has been a resident of the State of California for at least five years within the nine years immediately preceding his application for old age security, or

(b) Is 63 years of age or over but has not yet reached his 65th birthday, and has been a resident of the State for at least ten years within the fifteen years immediately preceding his application for old age security.

If and when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the ages contained in this section shall be reduced to 60 years and those who come within all the descriptions hereinafter contained shall be eligible for old age security under this article.

Unless and until the Federal Government makes available payments to Group (b), total payments to said Group (b) shall be assumed by the State of California.

The residence requirement in this section shall automatically conform to any changes required by the Federal Government in order to maintain compliance with the Federal Social Security provisions.

(c) Is not, at the time of receiving such security, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding two calendar months in duration. Any such inmate, however, may make an application for security under this article and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon while he is such an inmate, and, if he is otherwise qualified under the terms of this article, such application shall be approved. Payment of security granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted security but no such security shall be granted if such persons are cared for under a contract for a period of time exceeding one month.

Notwithstanding any provision of subdivision (c) of this section to the contrary, security shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or nonprofit organization, if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance.

If on the first day of the month a recipient of security is eligible for security though an inmate of an institution or hospital, he is entitled to receive security for the month. If a recipient of aid becomes ineligible for security due to confinement in an institution or hospital, the order suspending his security may provide that the security shall be restored to him when the recipient ceases to be an inmate without further order from the Director of the Department of Social Welfare.

Sec. 6. No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds fifteen hundred dollars ($1500).

The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least 12 months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars ($1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient.

For the purposes of this article, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the applicant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary until it has been made available for expenditure or disposition by him.

For the purposes of this article, the term "personal property" shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, food stuffs and fuel, interment plots as defined in Section 7022 of the Health and Safety Code, or insurance for funeral or interment expenses or similar purposes, or contract rights connected therewith.

For the purposes of this article only, the ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes.

For the purposes of this article, estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property.

For the purposes of this article, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property.

No security under this article shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars ($3,500) at the time such person makes application for security.

Sec. 7. Application for security under this article shall be made to the Department of Social Welfare at the department office nearest to the residence of the applicant. An applicant shall apply in person unless he is physically unable to do so, in which event the application may be made by his authorized representative in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the Director of Social Welfare, and a copy of his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for security under this article.

Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor.

The State Department of Social Welfare, directly or through an authorized investigator shall upon receipt of an application for security, promptly without any unnecessary delay and with all diligence make the necessary investigation. Such investigation shall be completed within 60 days after receipt of application.

Money received by a recipient of old age and/or blind security from the condemnation sale of his home shall not be deemed personal property within the provisions of this article, until the expiration of 12 months from the date of the receipt of said money.

For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor.

Sec. 8. Within 10 days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and old age and/or blind security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him. The pricing established for food, clothing, incidentals and personal needs, household operations and transportation shall be based upon the current price of articles of a high standard quality.

No rule or regulation shall be adopted by the Director of the Department of Social Welfare, which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means or other treatment or any branch of the healing arts.

No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health services.

Sec. 9. If this article is adopted by the people, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month following the fourth day after the date of the official declaration of the vote.

Until this article becomes both effective and operative the provisions of the Welfare and Institutions Code as in effect prior to the effective date of this article shall remain operative.

All provisions of the Welfare and Institutions Code not in conflict with this article shall remain operative until amended or repealed by the Legislature.

Upon the operative date the Director of the Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books, papers, equipment and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the blind under the Welfare and Institutions Code on that date and upon request the county shall give the Director of Social Welfare possession of such records, books, papers, equipment, and other personal property.

Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the first day of each month.

The amount of security provided herein shall be paid to all eligible applicants and recipients as of the first day of January, 1949. If, however, the department is unable by that date to make adjustments in the

payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date.

Sec. 10. The amount required to meet the allowances made by this article and administration thereof shall constitute a lien against all moneys in the State Treasury, and the amount required for the payment or payments of the allowances herein required is hereby appropriated; in addition there is hereby appropriated the required amount of the cost of administration.

Sec. 11. No law shall be passed prohibiting or restricting the applicants or recipients of security under this article from securing and employing persons to represent them to secure the rights herein and hereafter established.

Sec. 12. If the Constitution is amended by the repeal of Sections 12 and 13 of Article XVI the liens, mortgages, and other encumbrances thereby released shall not be revived, and no law shall be passed providing for any such liens, mortgages, or other encumbrances as a condition for qualifying for the security herein granted.

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5 **COMPENSATION OF LEGISLATORS. Assembly Constitutional Amendment No. 7.** Amends Section 23 of Article IV of the Constitution. Eliminates present provision that members of the Legislature shall receive salaries of $100 per month. Provides that members of the Legislature shall receive such compensation as may be fixed by law, plus mileage fixed by law but not to exceed 5 cents per mile.

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 23. The members of the Legislature shall receive for their services ~~the sum of one hundred dollars each for each month of the term for which they are elected, to be paid monthly in the even numbered years and to be paid during the regular legislative session in the odd numbered years at such times~~ such compensation as may be provided by law and mileage to be fixed by law, all paid out of the State Treasury, such mileage not to exceed five cents ($0.05) per mile.

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6 **REGULATION OF COMMERCIAL FISHING. Initiative.** Amends Fish and Game Code. Prohibits use of nets, traps, set lines or other appliances in commercial fishing in fish and game districts in which San Francisco Bay and tributary and connecting bays and streams are situated, for purpose of establishing said waters as recreational fishing area. Excepts commercial fishing for crabs, clams and oysters, and certain other named varieties. Prohibits possession of nets, traps and set lines in said waters, with certain exceptions. Excepts Clear Lake and Lake Almanor. Repeals inconsistent provisions of Fish and Game Code.

YES	
NO	

(This proposed law expressly repeals existing sections of and adds a new section to the existing law; therefore, **EXISTING PROVISIONS** proposed to be **REPEALED** are printed in ~~STRIKE-OUT TYPE~~; and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED LAW

An act to establish the waters of San Francisco Bay, the Sacramento and San Joaquin Rivers, and the waters contributary thereto as a recreational fishing area and for that purpose to repeal Sections 860, 861, 865, 878, 879, 880, 881, 882, 903, 945, 949, 950.5, and 955 of, and to add Section 860 to, The Fish and Game Code, relating to the use and possession of nets, traps and other appliances for taking fish in the waters of San Francisco Bay and the waters connected therewith or tributary or contributary thereto.

The people of the State of California do enact as follows:

Section 1. It is the purpose of this act to establish the waters of San Francisco Bay, the Sacramento and San Joaquin Rivers, and the waters contributary thereto as a recreational fishing area.

Section 2. Sections 860, 861, 865, 878, 879, 880, 881, 882, 903, 945, 949, 950.5, and 955 of the Fish and Game Code are repealed.

~~860. In District 12B, salmon may be taken with nets allowed to be used in said district, as follows:~~

~~(a) Between November 15th and June 15th.~~

~~(b) Between August 10th and sunrise on September 26th.~~

~~861. In district 12C, salmon may be taken with nets between November 15 and June 15, with nets allowed to be used in said district.~~

~~865. Unless otherwise provided, it is unlawful to use any net except a gill net or a trammel net to take shad. Such nets may be used to take shad only as follows:~~

~~(1) They may be used in District 12B, excluding all sloughs except Broad Slough, between March 15th and May 31st.~~

~~(2) Until May 16, 1941, they may be used in District 12C, excluding all sloughs, between February 15th and May 15th.~~

~~(3) They may not be used between sunrise Saturday and sunset of the following Sunday.~~

~~878. In district 11, drift gill nets may be used, subject to the following restrictions:~~

~~(a) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.~~

~~(b) The length of the meshes must be either 2½ inches or less, or 3½ inches or more. The meshes must be approximately the same size, and must not vary in length more than 2 inches.~~

~~(c) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.~~

~~879. In district 19, drift gill nets may be used, subject to the following restrictions:~~

~~(a) They may be used to take herring, smelt and other small fish.~~

~~(b) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.~~

~~(c) The length of meshes must not exceed 2½ inches in length. The meshes of any gill net must be approximately the same size.~~

~~(d) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.~~

~~880. In District 12B, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions:~~

~~(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.~~

~~(b) The meshes of any gill net must be at least seven and one-half inches in length, except that between March 15th and May 31st the meshes of such nets may be not less than five and one-half inches in length.~~

~~881. In District 12C, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions:~~

~~(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork lines must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.~~

~~(b) The meshes of any gill net must be at least seven and one-half inches in length.~~

~~882. In district 13, drift gill nets may be used to take herring, smelt and other small fish, subject to the following restrictions:~~

~~(a) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.~~

~~(b) The length of the meshes must not exceed 2½ inches in length. The meshes must be approximately the same size.~~

~~(c) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.~~

~~903. In district 12B and district 12C trammel nets may be used subject to the provisions of this chapter, and the following restrictions:~~

~~(a) The cork lines must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.~~

~~(b) The meshes of any trammel net must be at least seven and one-half inches in length except that between February 15 and May 15 the meshes of such nets may be not less than five and one-half inches in length.~~

~~945. In district 11, beach nets may be used.~~

~~949. Fyke nets made of cotton twine, the meshes of which are not less than two and one-half inches in length, provided, however, a one-~~

~~half inch tolerance of mesh size be allowed in used nets, with entrance at small end of funnels of fykes not to exceed 22 inches in circumference, and hoops not to exceed 22 feet in circumference on round hoops, nor more than five and one-half feet in greatest breadth on rectangular frames, may be used in Districts 3, 19A, 19B, and 19C to take catfish, carp, pike, hardheads, and suckers between September 1st and April 30th.~~

~~950.5. Chinese shrimp nets may be used only in district 12.~~

~~955. In districts 12 and 13, trawl nets may be used to take shrimps only.~~

Section 3. Section 860 is added to said code to read:

860. It is unlawful to use any net, trap, set line or other appliance to take fish, other than crabs, clams and oysters, for commercial purposes in any district or part of a district in which lie the waters of San Francisco Bay easterly of a straight line drawn from the extreme westerly point of Point Lobos on the south to the extreme westerly point of Point Bonita on the north. It is unlawful to use any net, trap, set line or other appliance to take fish, other than crabs, clams and oysters, for commercial purposes in any district or part of a district in which lies any bay connected with San Francisco Bay or in any district or part of a district in which lie any river, slough, lagoon or other body of water the waters of which directly or indirectly flow into San Francisco Bay, excepting Clear Lake and Lake Almanor. It is unlawful to possess in or along any of the waters in or on which the use of nets is prohibited by this section or in any boat on said waters any set line or trap, or any net other than a hand dip net not exceeding six feet in greatest dimension, a hand landing net, or a net possessed west of the Antioch Bridge by a licensed commercial fisherman which is being transported to or from, or possessed as an incident to the use thereof in, any district in which the use of such net is permitted.

The provisions of Section 922 shall not be construed to permit the use of purse and round haul nets in District 11.

Nothing in this section shall be construed to prohibit the use or possession of nets, traps or other appliances for the purpose of taking carp, hardheads, blackfish, suckers, split tails and Sacramento pike for commercial purposes under the direct supervision of the commission.

Any net, set line, trap or other appliance used or possessed in violation of this section shall be subject to forfeiture pursuant to Section 845 of this code.

RESIDENCE OF VOTERS. Assembly Constitutional Amendment No. 32. Amends Section 1 of Article II of the Constitution. Requires 54 (instead of 40) days of precinct residence as prerequisite for voting eligibility in that precinct. Preserves voting eligibility of registered electors who move from one precinct to another within 54 (instead of 40) days prior to an election.

7

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Section 1. Every native citizen of the United States, every person who shall have acquired the rights of citizenship under and by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such 90 days prior to any election, of the age of 21 years, who shall have been a resident of the State one year next preceding the day of the election, and of the county in which he or she claims his or her vote 90 days, and in the election precinct ~~40~~ **54** days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within ~~40~~ **54** days prior to an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct from which he so removed until after such election; provided, further, no alien ineligible to citizenship, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; provided, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was 60 years of age and upwards on October 10, 1911; provided, further, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who expect to be absent from their respective precincts or unable to vote therein, by reason of physical disability, on the day on which any election is held.

SUPERIOR JUDGES, VACANCIES. Assembly Constitutional Amendment No. 11. Amends Section 8 of Article VI of the Constitution. Provides that where superior court vacancy occurs at any time during a general election year (instead of after April 1st, as presently provided) election of successor for the full six-year term shall take place in the succeeding general election year.

8

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 8. The term of office of judges of the superior courts shall be six years from and after the first Monday of January after the first day of January next succeeding their election. A vacancy in such office shall be filled at the next succeeding general state election after the first day of ~~April~~ **January** next succeeding the accrual of such vacancy by the election of a judge for a full term to commence on the first Monday of January after the first day of January next succeeding his election. The Governor shall appoint a person to hold such vacant office until the commencement of such term.

SUCCESSION TO GOVERNORSHIP. Assembly Constitutional Amendment No. 14. Amends Section 16 of Article V of the Constitution. Provides that successor to vacancy in Governor's Office shall serve until completion of Governor's unexpired term. Adds provisions designating successors to fill Governor's Office in case Governor-elect dies prior to commencement of his term or fails to take office. Requires Legislature to select acting Governor in cases not provided for herein. Designates successors to fill Office of Lieutenant Governor in case he succeeds to governorship.

9

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 16. In case of vacancy in the Office of Governor, ~~the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, and the Lieutenant Governor so acting as Governor shall receive the salary and perquisites of Governor~~ **Lieutenant Governor shall become Governor and the last duly elected President pro Tempore of the Senate shall become Lieutenant Governor for the residue of the term; but, if there be no such President pro Tempore of the Senate, the last duly elected Speaker of the Assembly shall become Lieutenant Governor for the residue of the term.** In case of vacancy in the Office of Governor and in the Office of Lieutenant Governor, the powers and duties of the Office of Governor shall devolve, **for the residue of the term,** upon the last duly elected President pro Tempore of the Senate, **and those of the Office of Lieutenant Governor upon the last duly elected Speaker of the Assembly**; or if there be ~~none~~, **no President pro Tempore of the Senate,** then **the powers and duties of the Office of Governor shall devolve for the residue of the term** upon the last duly elected Speaker of the Assembly; or if there be none, then upon the Secretary of State; or if there be none, then upon the Attorney General; or if there be none, then upon the Treasurer; or if there be none, then upon the Controller. ~~In case of vacancy in the~~

~~office of Governor and in the office of Lieutenant Governor, the persons upon whom the powers and duties of the office of Governor devolve shall act as Governor until the vacancy in the office of Governor shall be filled at the next general election~~ ; and such person upon acting as Governor shall receive the salary and perquisites of Governor. ~~If at the time this amendment takes effect a vacancy has occurred in the Office of Governor or in the Offices of Governor and Lieutenant Governor, within the term or terms thereof, the provisions of this section as amended by this amendment shall apply.~~ In case of ~~the~~ impeachment of the Governor or officer acting as Governor, his absence from the State, or his other temporary disability to discharge the powers and duties of office, then the powers and duties of the Office of Governor devolve upon the same officer as in the case of vacancy in the Office of Governor, but only until the disability shall cease.

~~In case of the death, disability or other failure to take Office of the Governor-elect, whether occurring prior or subsequent to the returns of election, the Lieutenant Governor-elect shall act as Governor from the same time and in the same manner as provided for the Governor-elect and shall act as Governor for the full term or until the disability of the Governor-elect shall cease.~~

~~In case of the death, disability or other failure to take office of both the Governor-elect and the Lieutenant Governor-elect, the last duly elected President pro Tempore of the Senate, or in case of his death, disability, or other failure to take office, the last duly elected Speaker of the Assembly, or in case of his death, disability, or other failure to take office, the Secretary of State-elect, or in case of his death, disability, or other failure to take office, the Attorney General-elect, or in case of his death, disability, or other failure to take office, the Treasurer-elect, or in case of his death, disability, or other failure to take office, the Controller-elect shall act as Governor from the same time and in the same manner as provided for the Governor-elect. Such person shall act as Governor for the full term or until the disability of the Governor-elect shall cease.~~

~~In any case in which a vacancy shall occur in the Office of Governor, and provision is not made in this Constitution for filling such vacancy, the senior deputy Secretary of State shall convene the Legislature by proclamation to meet within eight days after the occurrence of the vacancy in joint convention of both houses at an extraordinary session for the purpose of choosing a person to act as Governor until the office may be filled at the next general election appointed for election to the Office of Governor.~~

~~At such a session the Legislature may provide for the necessary expenses of the session and other matters incidental thereto.~~

INITIATIVES. Assembly Constitutional Amendment No. 2. Adds Section 1c to Article IV of the Constitution. Provides that every constitutional amendment or statute proposed by the initiative shall relate to but one subject. Prohibits submission to the electors of initiative constitutional amendments or statutes embracing more than one subject and declares that any such initiative hereafter submitted or approved shall not go into effect.

10

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 1c. Every constitutional amendment or statute proposed by the initiative shall relate to but one subject. No such amendment or statute shall hereafter be submitted to the electors if it embraces more than one subject, nor shall any such amendment or statute embracing more than one subject, hereafter submitted to or approved by the electors, become effective for any purpose.

MUNICIPAL CHARTERS. Assembly Constitutional Amendment No. 18. Amends Section 8 of Article XI of the Constitution. Permits submission of city charters and charter amendments either at special election or ensuing general or municipal election, in place of present requirement that same be submitted 40 to 60 days after completion of publication. Permits charter amendment petitions to be filed at any time. Permits charter to establish borough form of government in less than entire municipality. After establishment of borough, prohibits amendment of borough powers without majority consent of borough voters. Defines "qualified electors" as those currently registered.

11

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 8. (a) Any city or city and county containing a population of more than 3,500 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this Constitution; and any city or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of 15 freeholders chosen by the electors of such city or city and county, at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city or city and county. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city or city and county, and on presentation of a petition signed by not less than 15 percent of the registered electors of such city or city and county, the legislative body shall call such election at any time not less than 30 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body ~~thereof~~ **of such city or city and county**.

(b) Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal or city and county government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections.

(c) At such election the electors shall vote first on the question, "Shall a board of freeholders be elected to frame a proposed new charter?" and secondly for the candidates of the office of freeholder. ~~If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholders receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected.~~

(d) The board of freeholders shall, within one year after the result of the election is declared, prepare and propose a charter for the government of such city or city and county. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city or city and county. The legislative body of said city or city and county shall, within 15 days after such filing, cause such charter to be published once in the official newspaper of said city or city and county and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city or city and county and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than 10-point and shall cause copies thereof to be mailed to each of the qualified electors of such city or city and county, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city or city and county a notice that copies thereof may be had upon application therefor.

(e) Such charter shall be submitted to the electors of such city or city and county at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general **or municipal** election next following the expiration of said 60 days.

(f) As an alternative, the legislative body of any such city or city and county, on its own motion may frame or cause to be framed, a proposed charter and submit the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election. Any charter so submitted shall be advertised in the same manner as herein provided for the advertisement of a charter proposed by a board of freeholders, and the election thereon held at a date to be fixed by the legislative body of such city or city and county, not less than 40 nor more than 60 days after the completion of the advertising in the official paper, **or at the general or municipal election next following the expiration of said 60 days.**

(g) If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the Secretary of State, one with the recorder in the county in which such city is located, and one in the archives of the city, and in the case of a city and county one copy shall be filed with the recorder thereof, and one in the archives of such city and county; and thereafter the courts shall take judicial notice of the provisions of such charter.

(h) The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body thereof on its own motion or on petition signed by 15 percent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the clerk of the legislative body of the city or city and county ~~not less than 60 days prior to the general election next preceding a regular session of the Legislature~~. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body ~~thereof of such city or city and county~~. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors at the time of the holding of the next general or municipal election held not less than 90 days from the date of the filing of such petition. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city or city and county, not less than 40, and not more than 60, days after the completion of the advertising in the official paper, or at the general or municipal election next following the expiration of said 60 days.

(i) If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature if then in session, or at the regular or special session next following such election; and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter.

(j) In submitting any such charter or amendment separate propositions, whether alternative, or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the largest number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. It shall be competent in any charter, or amendment thereof, to provide ~~for the division of the city or city and county governed thereby, into boroughs or districts, and to provide that each such borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for each such borough or district in the charter of the city or city and county~~ for the creation of boroughs in all or any part of the territory of the city or city and county governed thereby, and to provide that each such borough may exercise such general or special municipal powers, and to be administered in such manner, as may be prescribed for each such borough in such charter; provided, however, that after the creation of any such borough, the powers thereof shall not be modified, amended or abridged in any manner without the consent of a majority of the qualified electors of such borough voting at an election.

(k) The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general state election; and the qualified electors shall be those whose names appear upon the current registration records ~~of the same or preceding year~~. The election laws of such city, or city and county shall, so far as applicable, govern all elections held under the authority of this section.

LOCAL CONTROL OF INTOXICATING LIQUORS. Initiative Constitutional Amendment. Adds Section 22¼ to Article XX of Constitution; provides that State licenses for retail sale of intoxicating liquors, whether for consumption on or off the premises where sold, shall not be valid until approved by governing body of county or city wherein sale premises are located; confers upon the governing body of each county and city, and upon the voters thereof, power to forbid or regulate the sale and barter of intoxicating liquor within such county or city, or any portion of such county or city.

12

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 22¼. (a) No license shall be issued by the State Board of Equalization, or by any other officer, employee, agent, or agency of the State, for the sale of intoxicating liquor at retail, whether in the original container, or for consumption on the premises where sold, which does not specify the place or places where such sale or consumption is authorized to occur. No such license shall be issued, renewed, extended, transferred or reissued, and no such license shall be valid, unless and until such action first shall have been approved by ordinance or resolution passed by the governing body of the city, county, or city and county in which the licensed premises are, or are to be, located or in which the licensed activity is to be carried on.

(b) In addition to all other powers conferred by this Constitution or laws enacted thereunder, the governing body of each city, county, and city and county of this State is hereby vested with plenary power to make and enforce ordinances and regulations which forbid or regulate the sale and barter of intoxicating liquor in all, or any portions less than all, of the area within its boundaries.

(c) The qualified voters of each city, county, and city and county of this State are hereby vested with plenary power either by charter provision or by initiative ordinance to forbid or regulate the sale and barter of intoxicating liquor within the boundaries of the city, county, or city and county wherein they are qualified to vote.

(d) Intoxicating liquor is defined to be any liquor which contains one-half of 1 percentum or more of alcohol by volume, intended, designed or used for beverage purposes. Nothing in this section of the Constitution contained shall prevent the sale or use of intoxicating liquors for sacramental purposes, or for medicinal purposes by bona fide prescription in any licensed pharmacy.

(e) This section of the Constitution is self-executing, and supersedes all provisions of this Constitution in conflict herewith.

SENATE REAPPORTIONMENT. Initiative Constitutional Amendment. Amends Article IV, Section 6 of Constitution. Provides that counties shall be represented in State Senate in proportion to population, but that no county shall have more than 10 Senators. Eliminates present provision that no county shall contain more than one Senate district. Requires 1949 Legislature to reapportion Senate districts according to population shown by 1940 federal census, subsequent adjustments to be made following each decennial federal census. Provides for election of all Senators in 1950, one-half of Senators to be elected every two years thereafter.

13

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 6. For the purpose of choosing members of the Legislature, the State shall be divided into 40 senatorial and 80 assembly districts to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and senatorial and assembly districts

shall be as nearly equal in population as may be, **provided, however, that no county or city and county shall have more than 10 senatorial districts**. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of senatorial and assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, ~~and in the formation of senatorial districts no county, or city and county, shall be divided,~~ nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district. The census taken under the direction of the Congress of the United States in the year ~~1930~~ **1940**, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its ~~first regular session following the adoption of this section~~ **1949 Regular Session** and thereafter at the first regular session following each decennial federal census, adjust such districts, and reapportion the representation so as to preserve the senatorial and assembly districts as nearly equal in population as may be; ~~but in the formation of Senatorial districts no county or city and county shall contain more than one Senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one Senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section~~, provided, however, that no county, or city and county, shall have more than 10 senatorial districts. The number of persons shown by the latest decennial federal census as constituting the population of each county, or city and county, having 10 senatorial districts as above limited, shall be added together and subtracted from the number of persons constituting the total population of this State as shown by such census, and the remainder divided by the number of remaining senatorial districts after subtracting the number of senatorial districts in the counties, or cities and counties, having said limited number of 10 senatorial districts; and the factor so arrived at shall be the basis of forming the remaining senatorial districts as near as may be hereunder. Should the Legislature at the 1949 Regular Session or at the first regular session following any decennial federal census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding federal census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. ~~Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law.~~ The 40 Members of the Senate shall be elected in the year 1950 and their terms of office shall commence on the first Monday after the first day of January, next following their election. The seats of the 20 Senators elected in that year from the even numbered districts shall be vacated at the expiration of the second year, so that one-half of the Senators shall be elected every two years.

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14 **HOUSING.** **Initiative Constitutional Amendment.** Adds Article XXVII to Constitution. Creates State Housing Agency. Authorizes State to guarantee obligations of, and furnish operating subsidies to, public housing authorities, expenditures for such purposes not to exceed $25,000,000 annually. Authorizes State bonds up to $100,000,000 to finance State loans to public housing authorities and private non-profit housing associations; bond principal and interest to be paid from State tax revenues. Prescribes State and local government powers, eminent domain and other powers of housing authorities. Regulates taxation of housing authority property. Exempts local housing authority bonds from taxation.

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new article thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

ARTICLE XXVII—HOUSING AMENDMENT OF 1948

Title I—General Provisions

Section 1. Preamble.

The People of the State of California hereby express their common interest in housing. Sound homes foster sound citizenship. Good housing will preserve and enhance human values—our greatest asset.

We take cognizance that large numbers of families and persons lack the means to obtain shelter of even minimum decency and safety. Many young persons, including veterans of the recent war, cannot obtain adequate housing in which to establish desirable family life. They are forced to occupy congested, unhealthy and unsafe quarters in slums and blighted areas in cities and rural areas. The children who grow in such conditions suffer an impairment of opportunity to contribute fully to the production and progress of the State and the Nation.

Inadequate housing and blighted neighborhoods represent impaired human, economic and civic values which affect the welfare of all. To the extent that private endeavor is unable to provide healthy and decent environment, it is a matter of public interest and concern.

Advancement of the moral, physical and economic health and welfare of the people is a proper and necessary function of their government. The undertaking of such measures as may be effective to further these ends through better housing is hereby declared a public purpose and the policy of this State.

To assist Public Bodies and Non-Profit Housing Associations to provide decent housing for persons who lack the means to obtain adequate housing through private endeavor is the objective of this Article.

Section 2. Short Title.

This Article may be referred to as the "Housing Amendment of 1948."

Section 3. Definitions.

A. "Agency" shall mean the Agency established by Title II, Section I of this Article.

B. "Bond" shall mean any bond, note, interim certificate, debenture or any other obligation of a Housing Authority.

C. "Development" shall mean any or all of the planning, designing, acquisition, improvement, construction, financing or refinancing of Housing Developments or Housing Properties.

D. "Eligible Person" shall mean an individual who lacks sufficient income to secure decent, safe and sanitary housing for himself or his family at rentals or prices currently available in substantial supply through private endeavor.

E. "Going Rate of Interest" shall approximate the current annual yield rate upon outstanding general obligation bonds of the State having a maturity of ten years or longer, as determined by the Agency at the time of making a particular loan.

F. "Governing Body" shall mean any legislative body, council, board, or commission having power of legislation or control over the affairs of a Public Body pursuant to its charter or the laws of the State.

G. "Guaranty" or "Guarantee" shall mean the obligation of the State to pay the principal of and interest on Bonds of a Housing Authority as provided in Title III of this Article.

H. "Housing Authority" or "Authority" shall mean any public body created pursuant to the Housing Authorities Law of 1938, as amended, or its successor or any other Public Body authorized by law to undertake the Development or Operation of Housing Developments.

I. "Housing Bonds" shall mean the State bonds authorized by Title V of this Article.

J. "Housing Development" shall mean a specific undertaking, work or improvement by a Housing Authority to provide decent, safe and sanitary dwellings for Eligible Persons and may include such appurtenances and facilities as will promote a desirable environment. The term may also include the acquisition of land for future Development.

K. "Housing Fund" shall include Housing Loan Fund, Housing Assistance Fund, and Housing Administration Fund established by Title IV of this Article.

L. "Housing Property" shall mean a specific undertaking, work, or improvement by a Non-Profit Housing Association to provide decent, safe and sanitary dwellings for its members.

M. "Non-Profit Housing Association" shall mean any corporation organized under the laws of the State and empowered to develop and operate housing for its members in accordance with the provisions of this Article, provided its Articles of incorporation and by-laws prohibit operation for profit.

N. "Operation" shall include all actions and costs related to management, operation, maintenance, repair, replacement, insurance, reserves, taxes, and payments in lieu thereof, service charges, assessments, amortization, interest, financing and refunding and other related actions and costs.

O. "Public Body" or "Political Subdivision" shall mean any city, city and county, county, municipal corporation, commission, district, authority or other subdivision or public body of the State.

P. "State" shall mean the State of California and any agency or instrumentality thereof.

Q. "Subvention" shall mean the periodic payment authorized to be made to a Housing Authority in aid of a Housing Development as provided in Title III, Section 2, of this Article.

R. "Veteran of World War II" shall include the unmarried widow of a deceased veteran.

Title II—State Housing Agency

Section 1. Establishment, Membership and Organization.

A. There is hereby established an executive agency of the State to be known as the "State Housing Agency." Except as otherwise provided herein, all powers of the Agency shall be vested in five Commissioners who shall be appointed by the Governor. Three of the Commissioners who are first appointed shall be designated to serve for terms of one, two and three years, respectively from the date of their appointment, and two shall be designated to serve for terms of four years from the date of their appointment. Thereafter, Commissioners shall be appointed as aforesaid for terms of four years, except that all vacancies shall be filled for the unexpired terms. A Commissioner shall hold office until his successor has been appointed and qualified. A Commissioner shall receive no compensation for his services but he shall be entitled to reasonable expenses including travel expenses incurred in the discharge of his duties. The Agency annually shall select its own Chairman from among the Commissioners. Three Commissioners shall constitute a quorum for the purpose of conducting its business, exercising its powers and for all other purposes. Action may be taken by the Agency only upon a vote of a majority of all Commissioners unless in any case the rules or regulations of the Agency shall require a larger number. The Commissioners may delegate powers to such officers and employees as they may designate by resolution.

B. The Agency shall appoint a State Director of Housing, without regard to Civil Service Laws, to be its chief executive officer and shall fix his compensation. The Director may appoint three deputies and the General Counsel and his professional staff without regard to Civil Service Laws after the Agency shall have determined the required qualifications and fixed the duties and compensation of office. The Agency or its Director may call upon the Attorney General for any opinions or legal assistance. The Director may appoint additional employees, subject to Civil Service Laws, and determine the qualifications and duties of each position, all in accordance with an organization plan approved by the Agency.

C. No Commissioner or employee of the Agency shall acquire any interest direct or indirect in any Housing Development or Housing Property or in any property or contract related thereto. Where any such interest was acquired prior to his employment or appointment he shall disclose the same in writing, which disclosure shall be entered in a special record of the Agency kept for such purpose. Any such contract or claim for compensation for work done or supplies or materials furnished, in which any Commissioner or employee acquired an interest during his term of office or employment, shall be void.

D. For inefficiency, neglect of duty or misconduct in office, a Commissioner may be removed by the Governor, but a Commissioner shall be removed only after he shall have been given a copy of the charges at least 10 days prior to the hearing thereon and have had an opportunity to be heard in person or by counsel. In the event of the removal of any Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed with the Secretary of State.

Section 2. Powers and Functions.

A. The Agency may exercise its powers at any place, and rent or use office space and establish its offices at such locations in the State as it may deem necessary or convenient. The Agency shall be entitled to office space in State office buildings and other services and facilities on the same basis as other executive departments of the State.

B. The Agency may employ such personnel as it may deem necessary or convenient to carry out the purposes of this Article.

C. The Agency may sue in the name of the State whenever it is deemed necessary or advisable to enforce any of its rights conferred by this Article or by any law, mortgage, lien, bond, contract or agreement and may be sued in the same manner as a private person in any matter arising as a direct result of, and in relation to, the exercise by the Agency of any of its powers and functions authorized by this Article. The Agency shall be represented in all litigated matters by the Attorney General in association with its General Counsel and staff.

D. The Agency may execute in the name of the State such contracts and documents as its deems necessary or convenient to the exercise of the powers and functions authorized by this Article.

E. The Agency may acquire in the name of the State by gift, grant, bequest, devise, foreclosure or otherwise any real or personal property or any interest therein and assign, invest, sell, lease, exchange, transfer, mortgage, pledge or otherwise dispose of such property.

F. The Agency may make loans, Subventions and Guaranties in aid of Housing Developments and may make loans to Non-Profit Housing Associations in aid of Housing Properties of such organizations.

G. The Agency may include in any contract for loan, Subvention or Guaranty, a provision requiring conveyance or transfer of possession of the Housing Development to the Agency in the event of breach of any covenant or condition thereof, and in such event, the Agency may complete the Development and undertake the Operation of such Housing Development, continuing to make Subventions and Guaranty payments in aid thereof during the continuance of the breach. At such time as the Agency is satisfied that breach has been cured, the Agency shall reconvey or retransfer possession of the Housing Development to the Housing Authority and resume contract benefits.

H. The Agency may furnish assistance to Public Bodies and officials in determining the characteristics of the housing problems within their jurisdiction, in analyzing such problems, and in effecting solutions thereof.

I. The Agency may make surveys and studies, publish reports and disseminate information on local and general housing conditions and needs in the State.

J. The Agency may cooperate with and accept assistance from any persons, organizations or agencies of government or other sources of aid, financial or otherwise, to achieve the purposes of this Article.

K. The Agency shall make a comprehensive annual report to the Governor on its activities and operations and shall include therein such recommendations for executive and legislative action as it may deem advisable.

L. The Agency may in its discretion include in any contract to assist a Housing Development or Housing Property provision for the repayment of all loans outstanding and the sale of the Housing Development or Housing Property if at any time it is determined by the owner thereof and the Agency that there is no longer any need in the locality for the operation of such Housing Development or Housing Property.

M. The Agency shall have power to create and appoint councils or committees to meet with the Agency in an advisory capacity to discuss the objectives and execution of the program provided for by this Article and to make recommendations in connection therewith, and may pay reasonable expenses of persons so serving.

N. The Agency may contract, without regard to Civil Service Laws, for the services of technicians, experts, professionals, etc., on a per diem basis or otherwise to secure reports, information, advice or assistance necessary or convenient to carry out the purposes of this Article, including the Development or Operation of a Housing Development pursuant to paragraph G of this Section.

O. The Agency may issue and from time to time amend, such rules and regulations as it deems necessary or convenient to carry into effect the powers and purposes of this Article.

P. The Agency may study the problems and effects of monopolies, extortionate, illegal, or unfair practices, or practices affecting the cost of construction or production of buildings and cooperate with Federal and State investigating officials to end such abuses.

Q. The Agency may modify, consolidate, supersede, or supplement contracts which it has executed pursuant to the provisions of this Article, with or without consideration: to permit consolidation or separation of Housing Developments or portions thereof; to permit adjustment of interest charges contained in such contracts when determined advisable by the Agency to assist in financing Housing Developments; and to permit adjustment of the fixed amounts of Subventions.

R. The Agency may generally exercise any and all additional powers which it deems necessary or convenient to the execution of the powers and functions authorized by this Article.

Title III—Financial Assistance

Section 1. Loans in Aid of Housing Developments.

The Agency may make loans to, including purchase of Bonds issued by, Housing Authorities to assist in the Development or Operation of Housing Developments. Loans shall bear interest at the Going Rate of Interest plus one-half of one percent, shall be secured in such manner and shall be repaid within such period not exceeding fifty years, as the Agency may determine. The total of any outstanding loans to assist a Housing Development shall not exceed the estimated cost of such Housing Development as determined by the Agency from time to time.

Section 2. Subventions to Housing Authorities.

The Agency may make periodic Subventions to Housing Authorities to aid the Operation of Housing Developments at rentals within the financial reach of Eligible Persons. Subventions shall be paid from the Housing Assistance Fund and the aggregate amount of payments contracted by the Agency shall not exceed the amount authorized therefor. The Subvention paid in aid of a Housing Development during any year shall not exceed an amount equal to the difference between the costs of Operation and the income received from rentals and other charges approved by the Agency in accordance with the provisions of this Article. The Agency shall be empowered to create a debt or liability of the State by embodying the provisions for Subventions in a contract guaranteeing their payment over a fixed period not exceeding fifty years. Payments under any such contract may be pledged as security for any loan or credit obtained by a Housing Authority to assist the Housing Development to which such payments relate.

Section 3. Agreements of Guaranty with Housing Authorities.

The Agency is empowered to create a debt or liability of the State by making contracts with Housing Authorities guaranteeing the pay-

ments of interest and principal, as they become due, upon Bonds to be issued by them for the purpose of financing the Development of Housing Developments at rentals within the financial reach of Eligible Persons.

A. Provisions.

Such contracts shall provide: (1) that any Bonds guaranteed shall be sold at not less than par and the total principal amount thereof shall not exceed the estimated cost of Development as determined by the Agency; (2) that the Agency shall approve as to form, substance, amount, security, purpose, maturity and manner of issuance all Bonds subject to guarantee and shall evidence such approval and guarantee by appropriate indorsement upon each Bond, provided that such indorsement upon the interest coupons attached to such Bonds may be made by the facsimile signature of the officer designated by resolution of the Agency to indorse the Bonds; (3) that the Agency will make payments of interest or principal upon guaranteed Bonds after default by the issuer.

B. Payments.

Guaranty payments of interest and principal shall be made from the Housing Assistance Fund and the payment made in any year, together with any Subventions made pursuant to Section 2 hereof, shall not exceed, in the aggregate, the amount authorized for such fund.

C. Negotiability and Legal Investment.

Bonds and interest coupons guaranteed pursuant to this Section shall be negotiable instruments; they shall be legal investments for all purposes.

Section 4. Conditions of Aid to Housing Authorities.

A. Determinations.

Before making any contract for loan, Subvention, or Guaranty with a Housing Authority, the Agency shall determine that:

1. There is a need in the locality for decent housing at rentals below those currently available in substantial supply through private endeavor and that the assistance requested will aid in meeting such need;

2. The estimated revenues of Operation, including Subventions, contributions or assistance from any source, will be sufficient to meet the estimated costs of Operation;

3. The Governing Body of the city, city and county, or county in which the proposed Housing Development is to be located has adopted a resolution approving the filing of an application with the Agency.

B. Contract Provisions.

Any contract for loan, Subvention, or Guaranty with a Housing Authority shall contain appropriate provision to require that:

1. Decent accommodations are or will be made available at reasonable cost to Eligible Persons who will be displaced by Development of the dwellings to be provided;

2. Wages or fees not less than those prevailing in the locality will be paid to all workers employed in Development and Operation; and that there will be no discrimination in employment on account of race, creed, color, national origin or ancestry;

3. The average net construction cost of the dwelling units (excluding land, site improvement, non-dwelling facilities and overhead) will not be greater than the average net construction cost of dwelling units currently produced in the locality or metropolitan area under the legal building requirements applicable to the site and under labor standards not lower than those prescribed in this Article;

4. Construction shall be by contracts awarded after competitive bidding;

5. Development will not conflict with provisions of any official master plan duly adopted for the area;

6. Rentals shall be fixed within the financial reach of Eligible Persons; provided that the Housing Development shall not be operated for profit but the rental revenues (together with all other available monies, revenues, income and receipts from whatever sources derived) shall in no event be sufficient to pay costs of Operation;

7. Dwellings shall be let to Eligible Persons on the basis of need, without discrimination or segregation as to race, color, creed, national origin or ancestry;

8. In selecting Eligible Persons for occupancy, preference shall be given, as between cases of like need, to Veterans of World War II and families displaced by freeway construction, community redevelopment activities, or other public improvements, including families displaced by the Housing Development; provided that the veterans preference shall not continue beyond five years after the effective date of this Article, and the preference to displaced families shall be limited to initial occupancy in the Housing Development. The Housing Authority may determine the order in which the foregoing preferences shall be applied in relation to local conditions;

9. Dwellings shall be let only to Eligible Persons who have resided in the State for a period of not less than one year; provided, that the Agency, may, upon application of the Housing Authority, waive such requirement during periods of emergency or when in the public interest;

10. In Development and Operation, consideration shall be given to the needs and family characteristics of all Eligible Persons, including single persons and large families.

11. The Housing Development and all its accounts and records shall be open to inspection or audit by representatives of the Agency at all reasonable times;

12. Operation of the Housing Development will be in accordance with schedules of income, rents and expenses approved by the Agency;

13. The Housing Authority will submit such reports as the Agency may require;

14. The Housing Authority will not, without consent of the Agency, commit any act, or give consent, to transfer possession of or convey title to the Housing Development.

C. Other Provisions.

The Agency may include in its contracts other provisions to effectuate the purposes of this Article or to facilitate the sale of Bonds.

Section 5. Allocation of Benefits.

During the first year after appointment of the first commissioners of the Agency, contracts creating obligations against the Housing Assistance Fund shall not exceed for Housing Developments within a particular County the proportion which the amount so obligated bears to the Housing Assistance Fund as to the population of such County bears to the population of the State, as determined by the Agency. After ten years from the effective date of this Article, unless such period shall be extended by law, no new contract for loan, Subvention, or Guaranty shall be made by the Agency in aid of any additional Housing Development or Housing Property.

Section 6. Loans to Non-Profit Housing Associations.

A. Purpose.

The purpose of this Section is to provide a source of useful credit for those Veterans of World War II and other persons, and their families, of moderate income who, in the determination of the Agency, lack sufficient income or available credit to buy or rent standard quality housing currently being produced in substantial supply by private endeavor, but who can obtain adequate housing through mutual organization with the assistance of a loan by the Agency as hereinafter provided.

B. Loans Authorized.

The Agency may make loans to Non-Profit Housing Associations for Development of Housing Properties; provided, that the total loans outstanding upon a Housing Property shall not exceed the cost of its Development and in no event shall loans by the Agency on any Housing Property exceed ninety-five percent (95%) of such cost as determined by the Agency. Loans shall bear interest at the Going Rate of Interest plus one-half of one percent, shall be secured in such manner and shall be repaid within such period not exceeding fifty years, as the Agency may determine.

Section 7. Conditions of Aid to Non-Profit Housing Associations.

A. Agency Determinations.

Before making any loan to a Non-Profit Housing Association, the Agency shall determine that: (1) the Housing Property is proposed for the purpose of providing adequate housing for Veterans of World War II and other persons, and their families, of moderate income who lack sufficient income or available credit to buy or rent standard quality housing currently being produced in substantial supply by private endeavor; (2) making the loan will effect the purposes of Section 6 hereof; and (3) the estimated rents, revenues, receipts, or income of the Non-Profit Housing Association, from whatever source derived, will be sufficient to pay the estimated costs of Development and Operation.

B. Contract Provisions.

The amount and terms of any loan with a Non-Profit Housing Association shall be set forth in a contract with the Agency which shall contain appropriate provision to require that:

(1) Development and Operation of the Housing Property shall be for the exclusive use and benefit of members in the Non-Profit Housing Association and not for profit; provided, that the Agency may agree to such qualifications in the foregoing as, in its determination, will be necessary to protect its security for or interest in the loan;

(2) Wages or fees not less than those prevailing in the locality will be paid to all workers employed in Development; and that there will be no discrimination in employment on account of race, creed, color, national origin or ancestry;

(3) The average net construction cost of the dwelling units (excluding land, site improvement, non-dwelling facilities and overhead) will not be greater than the average net construction cost of dwelling units currently produced in the locality or metropolitan area under the legal building requirements applicable to the site and under labor standards not lower than those prescribed in this Article;

(4) Construction will be by contracts awarded after competitive bidding;

(5) Development will not conflict with provisions of any official master plan duly adopted for the area;

(6) Sales prices or rentals in the Housing Property shall be subject to approval by the Agency;

(7) Occupancy, use, or enjoyment of the Housing Property shall not be restricted or segregated on account of race, creed, color, national origin or ancestry;

(8) The Housing Property and all its accounts and records shall be open to inspection or audit by representatives of the Agency at all reasonable times;

(9) The Non-Profit Housing Association will submit such reports as the Agency may require; and

(10) Any conveyance or transfer of possession of the Housing Property shall be subject to approval by the Agency.

Title IV—State Housing Fund

Section 1. Fund Established.

There is hereby established in the State Treasury a fund, to be designated State Housing Fund. The State Housing Fund shall be maintained and used solely for the purposes of, and pursuant to the provisions of, this Article.

Section 2. Fund Composition.

The State Housing Fund shall include the following component funds, together with any additional funds which may be provided by law:

A. Housing Loan Fund.

A fund, to be designated Housing Loan Fund, is hereby established for the purpose of making loans by the Agency authorized by Title III of this Article.

(1) Deposits.

There shall be deposited in the Housing Loan Fund: (a) all proceeds from the sale of the Housing Bonds: (b) all payments of principal and interest by borrowers from this fund; (c) all net proceeds received by the Agency in realizing upon any property pledged as security for a loan made from the Housing Loan Fund; and (d) any monies provided by law for such purpose. There shall also be deposited in the Housing Loan Fund, and be available for expenditure by the Agency therefrom, any gift, grant, bequest, devise, or the income therefrom, when so provided, for the purposes of such fund.

(2) Payments.

Payment from the Housing Loan Fund shall be made to borrowers, or their agents or designees, at such times, upon such showings and in such manner as the contracts or regulations of the Agency shall provide. The State Controller shall issue warrants for payments from the Housing Loan Fund upon certification by the officer of the Agency designated by its resolution. The State Treasurer shall make payments from the Housing Loan Fund in accordance with the warrants issued by the State Controller.

(3) Surplus.

Unless otherwise provided by law, any monies in the Housing Loan Fund in excess of One Hundred Million Dollars ($100,000,000.) shall be transferred by the State Treasurer to the State General Fund; provided that in computing such amount there shall be excluded: (1) any property held by it as security for loans made by the Agency; and (2) any monies deposited by virtue of any gift, grant, bequest, devise, or income therefrom.

B. Housing Assistance Fund.

A fund, to be designated Housing Assistance Fund, is hereby established for the purpose of making Subventions and Guaranty payments by the Agency pursuant to contracts authorized by Title III of this Article.

(1) Deposits.

There is hereby appropriated from any monies in the General Fund or surplus in the State Treasury the sum of Twenty-Five Million Dollars ($25,000,000), plus any additional amount provided by law, for the purpose of making any payments authorized by Sections 2 and 3 of Title III of this Article. The funds so appropriated shall be transferred by the State Treasurer to the Housing Assistance Fund upon presentation of a resolution by the Agency directing such action and shall remain available until expended. There is also hereby appropriated annually from any monies in the General Fund or surplus in the State Treasury a supplementary amount which, together with the balance in the Housing Assistance Fund as of the beginning of the fiscal year, will equal the amount appropriated in the first sentence of this Section, plus any additional amount provided by law. The funds so appropriated shall be transferred by the State Treasurer to the Housing Assistance Fund upon presentation of resolutions by the Agency specifying the amounts, and directing such action. All funds appropriated shall remain available until expended. There shall also be deposited in the Housing Assistance Fund, and be available for expenditure by the Agency therefrom, any gift, grant, bequest, devise, or the income therefrom, when so provided, for the purposes of such fund.

(2) Payments.

Payments from the Housing Assistance Fund shall be made, pursuant to the contracts of the Agency authorized by Title III of this article, in such manner, upon such showings and at such times and places as the contracts or regulations of the Agency shall provide. The State Controller shall issue warrants for payments from the Housing Assistance Fund upon a certification by the officer of the Agency designated by its resolution. The State Treasurer shall make payments from the Housing Assistance Fund in accordance with the warrants issued by the State Controller.

C. Housing Administration Fund.

A fund, to be designated Housing Administration Fund, is hereby established for the purpose of paying the costs of administering the Agency.

(1) Deposits.

There is hereby appropriated annually out of any monies in the General Fund or surplus in the State Treasury a sum to be available during each fiscal year equal to three percent (3%) of the maximum authorized amount of the Housing Assistance Fund or such higher amount as may be provided by law. The monies so appropriated shall be transferred by the State Treasurer to the Administration Fund upon certification by the Agency that all, or any part, of said appropriation is needed during the fiscal year. There shall also be deposited in the Housing Administration Fund any monies appropriated by law, and any gift, grant, bequest, devise, or the income therefrom, when so provided for the purposes of such fund.

(2) Payments.

The State Controller shall issue warrants for payment from the Housing Administration Fund upon presentation of statements certified by the officer of the Agency designated by its resolution. The State Treasurer shall make payments from the Housing Administration Fund in accordance with the warrants issued by the State Controller.

Section 3. Investment of Surplus Funds.

The Agency may authorize or direct the investment or deposit of monies in any of the funds subject to its control, or appropriated for its use, in the manner and to the extent authorized by law for investment or deposit of other State funds.

Section 4. Liquidation of Fund.

Unless otherwise provided by law, when all obligations of the Agency, pursuant to contracts authorized by this Article or by any law, have been discharged in full, the appropriations made in Section 2 hereof shall terminate, and any monies remaining in the State Housing Fund shall be transferred into the General Fund of the State; provided, that any monies or property in such Fund which is the res or income of any gift, grant, bequest, or devise shall not be so transferred in violation of its terms.

Title V—Housing Bond Issue

Section 1. Creation of State Debt Authorized.

For the purpose of providing funds for the Housing Loan Fund created by this Article, the Agency shall be and is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State, in the manner and to the extent hereinafter provided.

Section 2. Preparation of Housing Bonds.

A. Amount and Rate of Interest.

For the purpose of this Article, immediately after the adoption of any resolution by the Agency provided for in Section 8 of this Title, the State Treasurer shall prepare the requisite number of suitable bonds of denominations of not less than Fifty Dollars ($50), in accordance with the specifications contained in such resolution. The aggregate par value of all Housing Bonds issued under this Title shall not exceed the sum of One Hundred Million Dollars ($100,000,000); provided that the aggregate par value of all Housing Bonds issued during the first year after the adoption of this Article shall not exceed Twenty-Five Million Dollars ($25,000,000); and the aggregate par value of all Housing Bonds issued during the 1st and 2nd years after the adoption of this Article shall not exceed Sixty Million Dollars ($60,000,000); and thereafter the par value of all Housing Bonds issued shall not exceed One Hundred Million Dollars ($100,000,000). The Housing Bonds issued under any such resolution shall bear interest from the date of issuance of said Housing Bonds to the date of maturity thereof, at a rate to be determined by the Agency, in consultation with the State Treasurer, and specified in such resolution, but in no case exceeding five percent (5%) per annum; such resolution may provide for redemption with or without the payment of a premium. Both principal and interest shall be payable in lawful money of the United States at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer, and shall be so payable at the times specified in said resolution or resolutions.

B. Signature.

All Housing Bonds issued under this Article shall bear the facsimile signature of the Governor and the facsimile signature of the State Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp adopted for each particular Housing Bond issued under this Article. Said Housing Bonds shall be signed, countersigned and endorsed by the officers who shall be in office on the date of issuance thereof, and each shall bear an impress of the great seal of the State. Housing Bonds so signed, countersigned, endorsed and sealed, when sold, shall be and constitute a valid and binding obligation upon the State, although the sale thereof be made at a date or dates upon which the officers having signed, countersigned and endorsed said Housing Bonds, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said Housing Bonds.

C. Interest After Maturity.

Each Housing Bond issued under this Article shall contain a clause or clauses stating that interest shall cease to accrue thereon from and after the date of maturity thereof and referring to this Article and to

the resolution of the Agency hereunder by virtue of which said Housing Bond is issued.

D. Interest Coupons.

The requisite number of suitable interest coupons, appropriately numbered, shall be attached to each Housing Bond issued under this Article. Said interest coupons shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the Housing Bonds to which said coupons pertain.

Section 3. Retirement of Housing Bonds.

All Housing Bonds issued under this Article and sold shall be deemed to have been called in at their respective dates of maturity and the State Treasurer, at the specified date of redemption thereof, or on the respective dates of maturity thereof, or as soon thereafter as said matured Housing Bonds are surrendered to him, shall pay the same out of the proceeds of the State Controller's warrants issued in favor of the State Treasurer as provided in Section 4, of this Title, and shall perforate the Housing Bonds so paid with a suitable device in a manner to indicate such payment and the date thereof. He shall also, on the said respective dates of maturity, cancel all Housing Bonds bearing said dates of maturity and remaining unsold, by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. The provisions of this section shall be applicable also to the interest coupons pertaining to the Housing Bonds authorized by this Article to be issued, and shall be applicable, as far as practicable, to any authorized agent of the State Treasurer.

Section 4. State Appropriation.

A. Amount.

There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the Housing Bonds issued and sold pursuant to the provisions of this Article, as said principal and interest becomes due and payable.

B. Tax Levy.

There shall be levied and collected annually and at the time other State revenue is collected, such sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal of and interest on Housing Bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collections of said revenue, to do and perform each and every act which shall be necessary to collect such additional sums.

C. Method of Payment.

Both principal of and interest on Housing Bonds when due shall be paid by the State Treasurer from the proceeds of warrants issued against said appropriation from the General Fund by the State Controller in favor of the State Treasurer, or in favor of any authorized agent of the State Treasurer, upon demands which shall be subject to audit in any manner provided by law.

Section 5. Appropriation for Expense.

The sum of Fifty Thousand Dollars ($50,000) is hereby appropriated out of any monies in the General Fund in the State Treasury to pay the expenses that may be incurred by the State Treasurer in having Housing Bonds prepared and in advertising their sale. Said amount shall be refunded to the General Fund in the State Treasury, pursuant to warrants issued by the State Controller for that purpose, out of the specific funds into which the proceeds from the sale of Housing Bonds shall be covered in accordance with the provisions of this Article.

Section 6. Sale of Housing Bonds.

When the Housing Bonds have been executed, they shall be sold by the State Treasurer at public auction to the highest bidder for cash, in such parcels and numbers as the said Treasurer shall be directed by the Governor of the State, under seal thereof, after a resolution requesting such sale shall have been adopted by the Agency, but said Treasurer must reject any and all bids for Housing Bonds, or for any of them, which shall be below the par value thereof plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date; and with the approval of the Governor, he may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the Housing Bonds offered, or any part thereof offered, to such time and place as he may select. Before offering any Housing Bonds for sale, the State Treasurer shall detach therefrom all coupons which have matured or will mature before the day fixed for such sale.

Section 7. Notice of Sale. Proceeds of Sale.

Due notice of the time and place of sale of all Housing Bonds must be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Oakland and by publication in one newspaper published in the City of Los Angeles once a week during four weeks prior to such sale. In addition, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of Five Hundred Dollars ($500) for each sale so advertised. The proceeds of the sale of Housing Bonds shall be forthwith deposited by the State Treasurer in the Housing Loan Fund created by this Article; provided, however, that any proceeds of the sale, paid as accrued interest or by way of premium shall be paid over by the State Treasurer into the General Fund of the State.

Section 8. Resolutions for Issuance of Housing Bonds.

Whenever the Agency shall have determined that the issuance of Housing Bonds under this Article is necessary or desirable, it shall adopt a resolution to this effect. Said resolution shall authorize and direct the State Treasurer to prepare the requisite number of suitable bonds and shall specify the aggregate number, aggregate par value, and the date of issuance of the Housing Bonds to be issued, the date or dates of maturity of the Housing Bonds to be issued and the number and numerical sequence of the Housing Bonds maturing at each date of maturity, the annual rate of interest which the Housing Bonds to be issued shall bear, the number, numerical sequence, amount or amounts and the dates of maturity of the interest coupons to be attached to the Housing Bonds, the technical form and language of the Housing Bonds to be issued and of the interest coupons to be attached thereto, and such redemption provisions, with or without payment of premiums as may be specified.

Section 9. Interest.

The rate of interest to be borne by the Housing Bonds shall be uniform for all of the same issue and shall be determined and fixed by the Agency in consultation with the State Treasurer, according to the then prevailing market conditions, but shall in no case exceed five percent (5%) per annum, and the determination of the Agency as to the rate of interest shall be conclusive as to the then prevailing market conditions. The interest coupons to be attached to the Housing Bonds shall be payable at semi-annual intervals from the date of the issuance thereof provided that the interest coupon first payable may, if the Agency shall so determine and specify, be payable one year after the date of issuance thereof.

Title VI—Taxes

Section 1.

No property shall be exempt from taxes as a result of financial assistance provided in this Article; provided, that any Public Body shall have power, by resolution of its Governing Body, to waive, or agree to waive, any taxes, liens, assessments, fees, or charges which may be levied against a Housing Authority and its property or its operations for such periods and in such manner as such Governing Body may determine.

Section 2.

In any year during which the Agency shall make payment from the Housing Assistance Fund pursuant to a contract of Subvention or Guaranty, the total of any tax payments by the Housing Authority upon the Housing Development so assisted for such year shall be reduced by an aggregate amount equal to such Subvention or Guaranty payment, provided, that the taxes paid shall not be less than the taxes which would be paid on the assessed value of the property comprising the site at the time of its acquisition by the Housing Authority.

Section 3.

The Bonds of a Housing Authority, together with the interest thereon and income therefrom, shall be exempt from all taxes and special assessments of the State or any Political Subdivision thereof.

Title VII—Supplemental Powers

Section 1. Housing Authority.

A. Powers.

Any Housing Authority shall have power: to engage in the Development and Operation of Housing Developments and undertakings; to borrow money, or obtain financial and other aid from any source and comply with any conditions thereto; in furtherance of the provisions of this Article, to exercise its powers now granted or hereafter extended under any law as if set forth herein; to make contracts with the Agency for any assistance provided by, or pursuant to, this Article and execute its responsibilities thereunder.

B. Area of Operation.

Two or more Housing Authorities may, by resolution, join in the exercise of their powers and may designate one to act on behalf of all. A Housing Authority may operate within the territorial limits of another political subdivision with consent by resolution of the Governing Body thereof and the Housing Authority, if any.

C. Federal Aid.

In exercising its powers pursuant to this Article or any law, a Housing Authority shall not be required to obtain assistance from the United States of America or any instrumentality thereof, but a Housing Authority may agree to receive such assistance and comply with any conditions thereto.

Section 2. Public Body.

Any Public Body may exercise, and agree to exercise, its powers to assist and cooperate with any Housing Authority in the Development or Operation of Housing Developments or undertakings pursuant to this Article or any law. In exercising its powers, the Governing Body of a Public Body may: act by resolution which shall take immediate effect; transfer or convey property or provide public works and financial and other assistance with or without consideration; waive requirements, fees or other charges; and enter into agreements which

may extend over any period. A Public Body may extend its facilities or services outside its jurisdictional limits to assist a Housing Development with consent by the Governing Body of the city, city and county, or county in which such Housing Development is located.

Title VIII—Miscellaneous Provisions

Section 1. Eminent Domain.

Anything in this Constitution or the laws of the State to the contrary notwithstanding, housing or redevelopment authorities, agencies or commissions, or political subdivisions of the State engaged by law in the clearing of slums or blighted areas, redeveloping communities or developing housing, may acquire real property which it may deem necessary for its purposes by the exercise of eminent domain in the manner established by law; provided that in taking such real property no award of compensation shall be made by reason of any increased value due to the use of real property contrary to law; provided further that the petition by any such authority, agency, commission or political subdivision for condemnation of real property for such purposes may request and the court shall order immediate possession of said real property upon payment unto court of the estimated value of the said property. The amount to be deposited shall be determined by the court after appraisal by two appraisers appointed by the court for such purposes.

Section 2. Powers of the State Legislature.

(a) Affecting this Article.

The Legislature shall have power to enact laws providing for financial and other assistance for housing in furtherance of the intent and purpose of this Article; provided that during a period of ten (10) years from and after the effective date of this Article no law shall be enacted which will diminish or lessen the appropriations or powers created or established by this Article.

(b) Affecting Housing Authorities.

The State Legislature shall pass no act or amendment to the Housing Authorities Law, as amended (Statutes of 1938, Chapter 4, as amended), which shall in any way lessen or diminish the powers of housing authorities.

(c) Consolidation of Other Housing Functions.

The Legislature may consolidate into the Agency such other housing functions as are being performed or which hereafter may be performed by the State.

Section 3. Article Controlling: Self-Executing: and Severability.

(a) Article Controlling.

Insofar as other provisions of this Constitution or the provisions of any law may be in conflict or inconsistent with the provisions of this Article the provisions of this Article shall control.

(b) Self-Executing.

The provisions of this Article shall be self-executing and shall not require legislative action.

(c) Severability.

Notwithstanding any other evidence of legislative intent it is hereby declared to be the controlling legislative intent that if any provision of this Article, or the application thereof to any person or circumstances, is held invalid, the remainder of the Article and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

FISH NETS. Initiative. Amends Fish and Game Code. Prohibits use of purse nets and round haul nets for fishing in ocean and tide waters of the State south of line extending due west from Point San Simeon in San Luis Obispo County. Expresses purpose of conserving fish supply. Subject to limitations, permits use of bait nets for taking bait fish. Provides penalties for violation.

15

YES ☐

NO ☐

(This proposed law does not expressly amend any existing law; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED LAW

An act to provide for the conservation of the natural resources of this State and for that purpose to add Sections 930 and 1412 to the Fish and Game Code, relating to and prohibiting the use of certain nets in the waters of or adjacent to this State and establishing penalties for violations.

The people of the State of California do enact as follows:

Section 1. Fish constitute one of the most important natural resources of this State, and their preservation is essential for the economic and recreational development of the State. In the waters of this State lying southerly of a line extending due west from the tip of Point San Simeon, San Luis Obispo County, fish the taking of which is made unlawful by this act have become so depleted as to constitute a threat as to the maintenance of even the present depleted supply thereof. In order that such supply be not further depleted, it is essential that this measure be enacted.

Sec. 2. Section 930 is added to the Fish and Game Code to read:

930. Notwithstanding any other provision of law, it is unlawful to use purse and round haul nets in any district or part of a district lying in the ocean waters and tidelands to highwater mark of this State and the islands adjacent thereto, lying southerly of a line extending due west from the tip of Point San Simeon, San Luis Obispo County, except that bait nets, as now defined in Section 919, not exceeding 220 fathoms in length on the cork line, including wings, and not exceeding 21 fathoms in depth, including apron, may be used for the taking of fish for bait purposes only.

Sec. 3. Section 1412 is added to said code to read:

1412. Any violation of the provisions of Section 930 is a misdemeanor punishable by a fine of not more than $500 or imprisonment in the county jail for not to exceed six months, or both. Upon conviction of the accused, any device or apparatus used in committing the offense may be forfeited as now prescribed in Section 1414.

CHIROPRACTORS. Amendment of Initiative Act. Amends Chiropractic Act. Authorizes State Board of Chiropractic Examiners to approve or disapprove schools, prescribe requirements therefor, and determine minimum requirements for chiropractic teachers. Requires license applicants to be graduates of approved schools and increases minimum chiropractic course from 18 to 36 months. Authorizes board to employ investigators, clerical and other help, and nonmember secretary. Adds power of license suspension to board's present power of revocation; brings disciplinary proceedings under Administrative Procedure Act. Eliminates fixed $2 annual license renewal fee and authorizes board to prescribe renewal fee between $2 and $10.

16

YES ☐

NO ☐

(This proposed law expressly amends provisions of existing law; therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKE-OUT TYPE~~, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED LAW

Sec. 3. The board shall convene within 30 days after the appointment of its members, and shall organize by the election of a president; and a vice president ~~and secretary, all~~ to be chosen from the members of the board, and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the approval of the Director of Finance. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board ~~in an amount not exceeding one thousand dollars per annum, but not per diem~~, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at ~~all~~ times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

Sec. 4. **Powers of Board.** The board shall have power:

(a) To adopt a seal, which shall be affixed to all licenses issued by the board.

(b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, copies of such rules and regulations to be filed with the Secretary of State for public inspection.

(c) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.

(d) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.

(e) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.

(f) To determine minimum requirements for teachers in chiropractic schools and colleges.

(g) To approve chiropractic schools and colleges whose graduates may apply for licenses in this State. Any school meeting the requirements of Section 5 of this act and the rules and regulations adopted by the board shall be eligible for such approval.

(h) The board may employ such investigators, clerical assistants, and other employees as it may deem necessary to carry into effect the provisions of this act, and shall prescribe the duties of such employees.

Sec. 5. **License to Practice: Fee: Educational Requirements.** It shall be unlawful for any person to practice chiropractic in this State without a license so to do. Any person wishing to practice chiropractic in this State shall make application to the board 15 days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of twenty-five dollars ($25) and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an ~~incorporated~~ approved chiropractic school or college which teaches a course of not less than ~~two thousand four hundred~~ 4,000 hours, extended over a period of ~~three~~ four school terms of at least ~~six~~ nine months each, ~~and must give satisfactory proof of having attended not less than ninety percent of said two thousand four hundred hours,~~ and shall present to the board at the time of making such application, a diploma from a high school, or proof, satisfactory to the board, of education equivalent in training power to a high school course.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this State is as follows, ~~to wit,~~ except as herein otherwise provided:

~~Anatomy~~	~~600 hours~~
~~Histology~~	~~100 hours~~
~~Elementary chemistry and toxicology~~	~~100 hours~~
~~Physiology~~	~~200 hours~~
~~Bacteriology~~	~~100 hours~~
~~Hygiene and sanitation~~	~~100 hours~~
~~Pathology~~	~~200 hours~~
~~Diagnosis or analysis~~	~~400 hours~~
~~Chiropractic theory and practice~~	~~500 hours~~
~~Obstetrics and Gynecology~~	~~100 hours~~
~~Total~~	~~2400 hours~~

Group 1		
Anatomy, including embryology and histology	**18 to**	**20%**
Group 2		
Physiology	**6 to**	**8%**
Group 3		
Biochemistry, inorganic and organic chemistry	**6 to**	**8%**
Group 4		
Pathology and bacteriology	**10 to**	**12%**
Group 5		
Public Health, hygiene and sanitation	**3 to**	**4%**
Group 6		
Diagnosis, pediatrics, dermatology, syphilology and psychiatry	**12 to**	**18%**
Group 7		
Obstetrics and gynecology	**3 to**	**4%**
Group 8		
Principles and practice of chiropractic, physiotherapy and office procedure	**25 to**	**28%**
Total	**83 to**	**100%**
Electives	**17 to**	**0%**

Sec. 10. (a) The board shall refuse to grant, or may **suspend or** revoke, a license to practice chiropractic in this State; ~~or may cause a licensee's name to be removed from all records of licensed practitioners of chiropractic in this state,~~ upon any of the following grounds, to wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose service s he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. ~~Any person who is a licentiate, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused.~~ **The proceedings for the refusal to grant, suspension or revocation of a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein.** The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

Sec. 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of **not less than** two dollars **($2) nor more than ten dollars ($10) as may be set by the board**. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee ~~of two dollars~~ during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars **($10)**, except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

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17 **STATE CIVIL SERVICE EXEMPTIONS. Senate Constitutional Amendment No. 22.** Amends Section 4 of Article XXIV of the Constitution. Exempts from state civil service officers and employees of district agricultural associations employed less than six months per calendar year; stewards, judges and veterinarians of California Horse Racing Board employed on part-time basis; full time hide and brand inspectors of State Department of Agriculture, and not exceeding four employees of State Board of Equalization. Prohibits Legislature from reviving any optional exemption from state civil service, once such exemption has been abolished.

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 4. (a) The provisions hereof shall apply to, and the term "state civil service" shall include, every officer and employee of this State except:

(1) State officers elected by the people.

(2) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office.

(3) State officers and employees directly appointed or employed by the Attorney General or the Judicial Council; or by any court of record in this State or any justice, judge or clerk thereof.

(4) State officers and employees directly appointed or employed by the Legislature or either house thereof.

(5) One person holding a confidential position to any officer mentioned in paragraphs (1), (2) or (4) hereof except that there shall be but one such position to any board or commission composed in whole or in part of officers mentioned in said paragraphs, each such person to be selected by the officer, board or commission to be served.

(6) One deputy for the Legislative Counsel and for each state officer elected by the people, each such deputy to be selected by the officer to be served.

(7) Persons employed by the University of California.

(8) Persons employed by any state normal school or teachers college.

(9) The teaching staff of all schools under the direction or jurisdiction of the Superintendent of Public Instruction, the Department of Education or the director thereof or the State Board of Education who otherwise would be members of the state civil service.

(10) Employees of the Federal Government, or persons whose selection is subject to rules or requirements of the Federal Government, engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with federal funds.

(11) Persons appointed or employed by or under the State Board of Prison Directors or any warden of a state prison.

(12) The officers and employees of the Railroad Commission.

(13) Member help in the Veterans' Home of California and inmate help in all state charitable or correctional institutions.

(14) The members of the militia of the State while engaged in military service.

(15) Officers and employees of district agricultural associations employed less than six months in any one calendar year.

(16) Stewards, judges and veterinarians of the California Horse Racing Board who are not employed on a full time basis.

(17) Hide and brand inspectors employed by the Department of Agriculture.

(18) Employees, not exceeding four in number, of the State Board of Equalization.

(b) The Legislature may provide that the provisions of this article shall apply to, and the term "state civil service" shall include, any person or group of persons hereinbefore excepted other than those mentioned in paragraphs (1), (2), (7) or (14) of subdivision (a) of this section. **Hereafter, no exception shall be revived with respect to any person or group of persons heretofore or hereafter included in the state civil service under this subdivision.**

(c) Whenever the appointment or employment of new or additional officers or employees of this State is hereafter authorized by law, such officers or employees shall be subject to the provisions hereof and included within the state civil service unless of a class excepted herein.

STATE PAYMENT OF TAX EXEMPTION LOSSES. Senate Constitutional Amendment No. 14. Adds Section 19 to Article XIII of the Constitution. Requires State annually to reimburse each county, city and county, city, and district for losses in tax revenues arising from real property tax exemptions of veterans and of religious, hospital and charitable institutions.

18

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 19. There shall be paid annually to each county, city and county, city and district of this State an amount equivalent to the aggregate annual loss of revenue to such county, city and county, cities or districts as results from the exemption from ad valorem taxes of real property within its boundaries provided for by Sections 1c and 1¼ of this article or any law enacted by the Legislature pursuant to Sections 1c and 1¼ of this article.

Payment to each county, city and county, city and district pursuant to this act shall be made by the State Controller in two equal installments during the months of May and November of each year, payable to the treasurer of each such county, city and county, city and district. In addition to any other copy of claim for such exemption required to be filed with the assessor concerned, an additional copy shall be filed with such assessor who shall deliver it to the county auditor. The Department of Finance shall prescribe such procedure, forms and information as it deems necessary to perform the duties imposed upon it by this section. The determination of the loss of revenues by reason of such tax exemptions shall be made annually by the Department of Finance from copies of claims for exemptions allowed which shall be furnished by the county auditor of each county or city and county. Such determination shall be made on or about the first day of March of the loss for the current fiscal year. In making the determination the property shall be given a value no greater than that shown on the local assessment rolls for property of substantially like character in the same locality and the rates of taxation applied in computing such loss shall not exceed those fixed by the local taxing agencies on property of substantially like character. The Department of Finance shall consult with the State Board of Equalization in making its determination of the loss of revenues.

After such determination has been made as to each county, city and county, city and district, the Department of Finance shall transmit to the State Controller prior to the first day of May and November of each year a written statement showing the amount of the loss of revenue by each county, city and county, city and district during the current fiscal year. The Controller shall pay the amount of such determination as herein provided. Payment of such amount shall be from any money in the State Treasury not otherwise appropriated.

FISH AND GAME COMMISSION. Assembly Constitutional Amendment No. 27. Amends Section 25½ of Article IV of the Constitution, which presently contains no provision permitting members of the Fish and Game Commission to hold office after the expiration of their respective six-year terms and until their successors take office. Amendment provides that each commissioner shall continue in office after the expiration of his term and until the appointment and qualification of his successor.

19

YES	
NO	

This proposed amendment expressly amends an existing section of the Constitution, therefore, **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE.**)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 25½. The Legislature may provide for the division of the State into fish and game districts and may enact such laws for the protection of fish and game in such districts or parts thereof as it may deem appropriate.

There shall be a Fish and Game Commission of five members appointed by the Governor, subject to confirmation by the Senate, with **a term of office of six years and until their respective successors are appointed and qualified**, except that the terms of the members first appointed shall expire as follows: One member, January 15, 1943; one member, January 15, 1944; one member, January 15, 1945; one member, January 15, 1946; and one member, January 15, 1947. Each subsequent appointment shall be for six years, or, in case of a vacancy, then for the unexpired portion of such term. The Legislature may delegate to the commission such powers relating to the protection, propagation and preservation of fish and game as the Legislature sees fit. Any member of the commission may be removed by concurrent resolution of the Legislature passed by the vote of a majority of the members elected to each of the two houses thereof.

END